

## Bullying Complain Email Exchange with the Belfer Center

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 12:45 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6) and (b) (6)

Please find the exchange with the Belfer Center. We had been told the papers were routinely sent out for peer review. That is not the case. This information was passed on to (b) (6) who was the head of the committee.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

**Sent:** Wednesday, April 24, 2019 5:34 PM

**To:** (b) (6)

**Subject:** Re: Follow up regarding an article: peer review

Thank you, I should have been more explicit.

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.

Department of Strategy and Policy

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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**From:** (b) (6)

**Sent:** Wednesday, April 24, 2019 5:33 PM

**To:** Murray, Nicholas A., CIV, NAVWARCOL

**Subject:** RE: Follow up regarding an article: peer review

Yes, it was successfully peer-reviewed and then published.

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

**Sent:** Wednesday, April 24, 2019 5:31 PM

**To:** (b) (6)

**Subject:** Re: Follow up regarding an article: peer review

Dear (b) (6),

(b) (6) sends his best.

Thank you again, and I am sorry to be a pain but does this count as a successfully peer reviewed publication?

This may be pedantic, but I reread your response as 'the paper was sent out but possibly not accepted with the discussion paper being published anyway.' I suspect I am reading far too much into this, but I am trying to make sure I have this correct.

Thank you again.

Sincerely,

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.  
Department of Strategy and Policy  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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**From:** (b) (6)  
**Sent:** Wednesday, April 24, 2019 2:07 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL  
**Subject:** RE: Follow up regarding an article: peer review

Dear Dr. Murray,

The International Security Program Discussion Papers are vetted and edited by the members of the International Security Program publications team. As a rule, they are not sent out for peer review, but sometimes are.

Discussion Papers published by other parts of the Belfer Center vary in their treatment.

(b) (6) discussion paper was sent out for peer review.

Tell (b) (6) that I said "hello!"

Sincerely,

(b) (6)

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <[Nicholas.Murray@usnwc.edu](mailto:Nicholas.Murray@usnwc.edu)>  
**Sent:** Wednesday, April 24, 2019 12:58 PM  
**To:** (b) (6)  
**Subject:** Follow up regarding an article: peer review

Dear (b) (6) (If I may),

I called yesterday to ask about an article. I am interested in the series and I am looking at the series for students. In addition, a colleague (b) (6) is applying for tenure and listed the piece on her c.v. I should have made this clearer yesterday, but I was unfortunately in a rush and as I am half deaf I sometimes panic on the phone.

Please could you confirm if this paper was peer reviewed.

I have linked the article below, and (b) (6) recommended I email you to follow up.

(b) (6)

(b) (6)

Thank you for your time and assistance.

Sincerely,  
Nick Murray

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>.  
<https://kansaspress.ku.edu/978-0-7006-2676-2.html>

**Fw: Reminder: (b) (6) tenure / promotion meeting on Tuesday, 14 May**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 12:49 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6) and (b) (6),

Please note that I told (b) (6) in advance of my intent to provide my thoughts in writing as I was not able to attend the meeting in person, or via the internet or phone. Having spoken with him in person, this was the best way for me to participate. That is why I was especially irked when only my comments were provided to the candidate.

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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<https://www.nebraskapress.unl.edu/potomac-books/9781597975537/>

<https://kansaspess.ku.edu/978-0-7006-3034-9.html>

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

**Sent:** Saturday, May 11, 2019 4:04 AM

**To:** (b) (6)

**Subject:** Re: Reminder: (b) (6) tenure / promotion meeting on Tuesday, 14 May

Dear (b) (6),

I will try to phone in. It looks like (b) (6) has not responded, so I will write up my thoughts and send them. I will also arrange for someone to cast my ballot, and agree that you should not do that.

Just to confirm, will the ballot be secret (I think the plan was it should be, but wanted to double check)?

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Department of Strategy and Policy

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

<https://kansaspess.ku.edu/978-0-7006-2676-2.html>

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**From:** (b) (6)

**Sent:** Thursday, May 9, 2019 8:51 PM

**To:** (b) (6)

**Cc:** (b) (6)

**Subject:** Reminder: (b) (6) tenure / promotion meeting on Tuesday, 14 May

Additional reminder: (b) (6) tenure / promotion meeting coming up this Tuesday, 14 May, in my office at 1500.

I'm also re-attaching three reports on teaching / research / service, plus the committee letter, for your review prior to the meeting. I've also attached an updated copy of (b) (6) vita. Full materials are available in my office.

(b) (6)

At present, (b) (6) does NOT plan on a written response to the committee's letter.

Best,

(b) (6)

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(b) (6)  
(b) (6)  
(b) (6)  
(b) (6)  
(b) (6)  
(b) (6)

**Fw: Thoughts on (b) (6) tenure and promotion**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 12:52 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6) and (b) (6)

Please find the email I sent to the committee in lieu of being able to discuss the candidacy in person. It was written on my iPhone, so please accept my apologies.

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray><https://kansaspress.ku.edu/978-0-7006-2676-2.html><https://kansaspress.ku.edu/978-0-7006-3025-7.html><https://www.nebraskapress.unl.edu/potomac-books/9781597975537/><https://kansaspress.ku.edu/978-0-7006-3034-9.html>

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Sunday, May 12, 2019 1:25 PM**To:** (b) (6)**Subject:** Thoughts on (b) (6) tenure and promotion

Dear colleagues,

I will not be there for the meeting and I have some observations regarding the department's report on (b) (6) application for promotion to Associate Professor with tenure. My observations relate to the lack of consistency in the standards being applied to (b) (6) and those applied to the last applicant for promotion to Associate Professor with tenure. Fundamentally, that is not right or fair. Please note that I am only referencing the previous candidate because the senior faculty explicitly used his application as a benchmark for future applications.

**Quantity of scholarly production**

According to the departmental guidelines, "The quality and quantity of those articles and chapters taken together must be roughly equivalent to the standard of a book plus additional article / chapter. Those articles and chapters should demonstrate the candidate's growth as a scholar and potential for further research and publication."

An evaluation (b) (6) peer reviewed work reveals a discrepancy with the requirements imposed on the previous candidate. At the time of his application, the latter had published 5 peer reviewed articles (140 pages worth), one article in production (30 pages), and another accepted, all of which were of a consistent length and quality. The five peer reviewed journal articles mentioned in (b) (6) report total 96 pages. That in no way matches what was required of the previous candidate either in terms of the number of articles or page count.

There is also a problem with the inclusion of the Belfer piece. When I first expressed interested in applying for tenure and separately promotion to Full Professor, I was told that none of the non-journal peer reviewed pieces I had written counted as journal articles for the sake of promotion and tenure, because they were not with a formal academic journal. The articles were part of my total promotion package but not counted against the number of peer reviewed articles I needed. Accordingly, why does the Belfer piece count, whereas mine did not?

The committee report makes the argument that the Belfer paper should be counted as two peer reviewed articles in of itself. Even if we accept his logic, (b) (6) peer reviewed work would still only total roughly 150 pages. That does not equate to a book plus one article in terms of quantity. Either way, with or without the Belfer piece, the quantity of scholarship is in no way equivalent to the bar set for the previous candidate. Indeed, it is a far lower by any objective standard.

That makes the issue of (b) (6) manuscript all the more important for fairness and consistency moving forward. Her manuscript has yet to receive a contract. Furthermore, as our current department chair has explicitly noted, even a book contract is no guarantee of publication. When the previous candidate inquired about applying for promotion in his fifth year, he was told that a book contract was insufficient and that his manuscript had to be through the production stage (page proofs were required I believe) before it would count.

The point here is that 5 full-length peer reviewed journal articles, another two peer reviewed journal articles accepted for publication, and a peer reviewed book in production was the standard applied for the most recent candidate. That standard has not been met in this case. Not only has that bar not been met, but the quantity of scholarship is not remotely close to what was demanded of the previous candidate.

Furthermore, the department is considering accepting types of publication that previous applicants could not use. Specifically, the committee report contends that non-peer reviewed work relevant to strategy or national security affairs should be included. Unfortunately, such work was excluded from consideration when I and the previous candidate for Associate Professor applied for promotion. (b) (6) confirmed the exclusion of non-academic writing from being considered as scholarship in an email exchange with me in May last year. If the department wishes to apply a new standard, it must be the result of a formal process involving the input from all faculty members. As it stands, my impression is that the department is applying standards selectively to the detriment of some candidates and the benefit of others.

Finally, one of (b) (6) own referees (b) (6) of Dartmouth University) stated that she would not meet the standard for promotion and tenure at Dartmouth. Rather, to be competitive, she would need "a few more refereed articles and for her to get the book done." We claim to be a peer of such institutions yet we appear to be accepting of standards which are far lower.

### **Quality of teaching and lecturing**

According to departmental guidelines, "Civilian faculty are expected to excel in seminar; to deliver lectures which are engaging, challenging, and reflect the faculty member's mastery of scholarship on the topic; and to demonstrate an ongoing commitment to improving their performance."

In the report on (b) (6) teaching, she was explicitly compared with the most-recent candidate for promotion to Associate Professor with tenure. As was the case with her scholarship, different standards were applied for (b) (6). For the previous candidate, all of his teaching scores since joining the faculty were used to evaluate his teaching. For the current candidate, her first year was discarded. Of the four years that were used, the lowest score was discarded.

The report indicated (b) (6) scores were similar to said candidate. This is only true if one excludes the (b) (6) lowest score and those from her first year of teaching. If one compares all of (b) (6) scores with those of the previous candidate, a very different picture emerges. Both candidates have taught 16 Seminars (including this winter) since 2013. The previous candidate received a higher teaching effectiveness score than (b) (6) in 11 of those seminars, frequently by a significant margin. Indeed, if one looks at three of the times (b) (6) score exceeded that of the previous candidate it was when he had an off year. All of which indicates a deeper problem.

Taken on their own merits, (b) (6) scores are also below the department mean on 13 out of 16 occasions. How does that constitute teaching excellence? Most faculty have had a dip in scores for a year, or the odd seminar, and that can come from many causes. Yet the performance does not seem to be because of a mere dip, it appears systemic. Even using the most charitable standards, which is what the committee did, (b) (6) teaching performance is mediocre.

On top of the teaching evaluation, we should also note that comments from her students have consistently noted problems with team teaching and the ability to accept differing points of view. That does not fit in with our main method of delivering seminar. If

we truly value team teaching and teaching excellence, (b) (6) scores and comments indicate something less than the standard we claim to seek. The consistently negative comments about her interactions with students and her performance in seminar are concerning, and there does not seem to have been significant improvement. Indeed, one faculty member has formally complained about her unprofessional interactions with a student. While a single incident such as this might not mean much in isolation, when placed in context with consistent negative student feedback over her entire time with the department, it should be extremely troubling.

Unfortunately, (b) (6) performance in lectures does not compensate for her weakness in seminar. The lecture scores are consistently poor, and there have been consistent negative student comments about them, too. In this area, a comparison with the most-recent candidate for promotion to Associate Professor is again instructive. (b) (6) scores are significantly below his, even though she demonstrated far less versatility than the previous candidate. By my count, (b) (6) has delivered only three different lectures while a member of this department: 1 in the ILC, 2 in the SLC. By contrast, the previous applicant delivered 2 in the ILC, and 6 in the SLC. Viewed in this light, (b) (6) inability to show improvement in lecture scores is even more egregious, since she has had ample time to address the criticisms offered by students and faculty, but seems unwilling or incapable of doing so.

Overall, the department made it clear that the previous candidate's superior performance as a lecturer compensated for his middling seminar scores. The fact that (b) (6) lectures have improved slightly over the years should not obscure the fact that they are among the lowest rated in the department and in no way compensate for her seminar performance. As such, the comparison with the previous candidate is again instructive. His middling seminar scores were saved by his lectures. The same cannot be said for the current candidate as both are consistently lower.

Although most junior faculty do not get many opportunities to lecture, it is vital that the department not exclude them when evaluating faculty performance. The department claims to value them as educational instruments and argues that they are critical to the way S&P imparts knowledge. What will the PNWC and Provost have to say about the sanctity of our lectures if we claim that poor lectures are the departmental standard for excellence?

Last, I have covered (b) (6) classes at short notice on a number of occasions. I believe I am not the only one who has covered classes, lectures, bootstrap, etc., at short notice. Rarely have I had to do this for anyone else. The few times I have had to cover classes the faculty member concerned has made sure to express their gratitude. That has never happened in this case.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>  
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**Re: REQUEST FOR INTERVIEW**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 8/21/2020 2:38 PM

To: (b) (6)  
Cc: (b) (6)

Dear (b) (6),

Thank you for this. I had a long talk with (b) (6), and I think I was able to help with his investigation.

I would ask that if someone else is in my boat, that HR might provide a brief "here are the steps of the process and what they mean" type of email. I was completely unfamiliar with the process and found it far more distressing than I think it might have been or needed to be. I know you sent out the links to regulations, but they are not always easy to read and understand. Now that I have been through the process myself I would say that had I known and understood what the parts of the process were, it would have greatly reduced my stress. I do note that you did tell me, but I think it would have helped a great deal if this was in the first email.

Thanks again for your time and for your and your colleagues' help.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
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<https://kansaspess.ku.edu/978-0-7006-3025-7.html>

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**From:** (b) (6)  
**Sent:** Tuesday, August 18, 2020 6:24 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

Nick,

(b) (6) role is to gather the facts from all parties involved, so that NWC leadership may better make informed decisions. You may provide whatever information, documentation, etc., that you think will be useful to (b) (6) inquiry. You may have a better idea of what to provide to him once you have spoken with him. I presume he will also ask you if there is anyone else you think he should interview so that he may conduct a complete investigation to take into consideration all parties' perceptions.

I am sorry that you are feeling distressed. Please know that the DON Civilian Employee Assistance Program is a resource that is available to you if you would like to talk to someone (available 24/7). It is confidential, and they do not disclose to the command who contacts them.

I have attached the July newsletter that was distributed earlier this month that has the website and contact information for DON CEAP (1-844-DON-CEAP or 1-844-366-2327).

v/r, (b) (6)

(b) (6)

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, August 18, 2020 5:23 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

(b) (6)

Thank you. I am just really distressed. Everything came at once, and I assumed the things might be related. Part of this is that I wouldn't trust my department to do anything fairly, and the fact that I complained about their not doing the PARS properly, not consistently following procedures for hiring or for promotion, violations of ethics, etc., has only served to make me a target.

I already agreed to speak with (b) (6) but I don't really have a clue what this is about. I didn't know it was required, but it seemed to be the right thing to do. That being said I am not sure if I need to prepare, get emails together, whether I am the subject of said complaint, merely a witness, or what. It is really scary not knowing why I am being interviewed. As a civilian, many of these procedures are opaque and quite intimidating which only serves to make things worse. Furthermore I can't even let my boss know, right as we are trying to nail down lectures and curriculum for next year.

So, to clear things up. If you could help me to understand what is going on? How does the process work? Clearly, there must have been a complaint. Next, that complaint was sent to an investigating officer to gather facts. I am going to be interviewed as part of the fact gathering process. Then an examination of the facts goes where exactly? That is, what happens after that?

If you could help with that it would greatly reduce my stress.

Thank you.

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
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**From:** (b) (6)  
**Sent:** Tuesday, August 18, 2020 4:54 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

Nick,

My apologies for the delayed response. I have had back to back meetings today.

As (b) (6) responded to you, this is a fact finding administrative inquiry that arose from a complaint received by the command. This is unrelated to your DPMAP grievance.

If you are asking about your options regarding the interview with (b) (6), as a federal employee, you are required to cooperate in this investigation and provide truthful answers.

If I didn't understand your question, please me know and I will do my best to answer any additional questions you may have.

V/r, (b) (6)

(b) (6)

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(b) (6)

penalties. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, August 18, 2020 4:02 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

Dear (b) (6)

I have no idea what this all is. Please can you let me know what my options are? As you know, this has come on top of my performance rating being downgraded by (b) (6) (who had previously threatened me with administrative discipline) and which I am trying to get sorted out right now. Given the history and behavior of my department, I am really worried about this and have no clue what is going on.

Thank you,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
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**From:** (b) (6)  
**Sent:** Tuesday, August 18, 2020 11:31 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

Nick,

This is an administrative inquiry to gather facts. Amongst her allegations there is a situation that I will need to speak to you about. Regarding your options, please feel free address that with (b) (6).

(b) (6)

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, August 18, 2020 5:00:11 PM  
**To:** (b) (6)  
**Subject:** Re: REQUEST FOR INTERVIEW

(b) (6),

Have I been accused of harassing or bullying her? Am I being investigated? If so, this is the first I have heard and I would like to consider my options.

Best,

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.  
Department of Strategy and Policy  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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**From:** (b) (6)

**Sent:** Tuesday, August 18, 2020 10:25 AM

**To:** Murray, Nicholas A., CIV, NAVWARCOL

**Subject:** REQUEST FOR INTERVIEW

Professor Murray,

Per the attached document, I have been assigned as an investigating officer by the Naval War College to inquire into the facts and circumstances surrounding allegations of workplace harassment and bullying that have been made by (b) (6).

I will need to speak with you regarding her allegations. Would it be possible for us to speak sometime on Friday? I am doing the interviews from home via zoom or over the phone. I am physically located in Naples, Italy, so will be six hours ahead of you.

Please advise if Friday works for you and tell me what time is best for your schedule. In the alternative, we could also speak on next Monday. We will plan for no more than an hour.

Be advised, you should not speak to (b) (6) or any other member of the department prior to our conversation.

If you have any questions regarding the investigation or my role, you may direct them to (b) (6) (NWC HR) or (b) (6) (NWC SJA). The contact information for (b) (6) and (b) (6) is in the attached appointing order.

Thank you and I look forward to speaking with you.

(b) (6)

**Fw: IO Appointment letter**

(b) (6)

Wed 5/26/2021 9:40 AM

To: (b) (6)

Cc: (b) (6)

1 attachments (110 KB)

Preaction Appointing Letter SP (signed) - 27 April 2021.pdf;

(b) (6),

I have completed the investigation into one of the two issues delineated in the appointing letter ("deviation to instructions"). The second issue ("unprofessional interpersonal behavior") involves an extensive number of lengthy personal interviews with individuals who are not readily available on site at the Naval War College. Scheduling of these interviews is now extending into early June. Moreover, the number of individuals who might need to be interviewed is still undetermined. Given the current rate of progress on this issue, I anticipate that I will be able to complete this phase of the investigation not later than 30 June 2021.

(b) (6)

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**From:** (b) (6)**Sent:** Wednesday, April 28, 2021 7:48 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** IO Appointment letter

(b) (6)

Please find attached the pre-action investigation appointment letter. (b) (6), cc'd here, will schedule an appointment with you to meet with (b) (6) prior to t (b) (6) ation commencing.

(b) (6), HR Labor & Employee Relations, will send you the IO guide and is available needed. Additionally, (b) (6), command OGC, is also available as needed.

Please let me know if you have any questions and thank you for taking this on.

(b) (6)

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**Re: Pre-Action Investigation Guide**

(b) (6)

Thu 9/9/2021 12:32 PM

To: (b) (6)

Cc: (b) (6)

(b) (6)

Got it, thanks.

(b) (6)

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**From:** (b) (6)**Sent:** Thursday, September 9, 2021 10:48 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** FW: Pre-Action Investigation Guide

(b) (6)

As discussed at yesterday's meeting, I am forwarding to you some sample investigation reports to assist with your revisions.

v/r,

(b) (6)

-----Original Message-----

**From:** (b) (6)**Sent:** Wednesday, April 28, 2021 8:10 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Pre-Action Investigation Guide

(b) (6)

Attached please find the enclosures to your appointment letter. Once you have met with (b) (6) and I will meet with you via zoom to provide you guidance and answer any questions you may have.

V/r, (b) (6)

## Re: Pre-Action Investigation Guide

(b) (6)

Fri 4/30/2021 3:02 PM

To: (b) (6)

Is one hour sufficient? I can do the Zoom on Monday 1000-1100 (after the SAPR training).

(b) (6)

From: (b) (6)

Sent: Friday, April 30, 2021 2:51 PM

To: (b) (6)

Subject: Re: Pre-Action Investigation Guide

(b) (6) and (b) (6)

I'm available via zoom on Monday from 0900-1100 and 1300-1600, and on Tuesday from 0900-1100 and 1430-1600.

(b) (6)

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From: (b) (6)

Sent: Friday, April 30, 2021 2:22 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Pre-Action Investigation Guide

(b) (6)

I met with (b) (6) this afternoon. When might we now get together? Monday and Tuesday are both good for me.

(b) (6)

From: (b) (6)

Sent: Wednesday, April 28, 2021 8:09 AM

To: (b) (6)

Cc: (b) (6)

Subject: Pre-Action Investigation Guide

(b) (6)

Attached please find the enclosures to your appointment letter. Once you have met with (b) (6) and I will meet with you via zoom to provide you guidance and answer any questions you may have.

V/r, (b) (6)

## Re: Completion of Investigative Report

(b) (6)

Tue 9/7/2021 12:21 PM

To: (b) (6)

Roger that. 1230-1330 tomorrow.

From: (b) (6)

Sent: Tuesday, September 7, 2021 11:07 AM

To: (b) (6)

Subject: RE: Completion of Investigative Report

Got it, (b) (6) Thanks. v/r, (b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, September 7, 2021 11:07 AM

To: (b) (6)

Subject: Re: Completion of Investigative Report

(b) (6)

1230 should work for me. I will do my best to make it in. If not, I can participate by phone.

V/r, (b) (6)

(b) (6)

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From: (b) (6)

Sent: Tuesday, September 7, 2021 11:05 AM

To: (b) (6)

Cc: (b) (6)

Subject: RE: Completion of Investigative Report

(b) (6)

1230-1330, 1430-1530 will work for me. (b) (6) -- does either block work for you?

(b) (6)



v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, September 7, 2021 10:43 AM

To: (b) (6)

Subject: Re: Completion of Investigative Report

(b) (6)

My preference is to meet in person. Tomorrow afternoon is good for me from 1130-1330 or after 1430.

(b) (6)

---

From: (b) (6)

Sent: Tuesday, September 7, 2021 9:27 AM

To: (b) (6)

Subject: RE: Completion of Investigative Report

(b) (6)

Good morning. Unfortunately, events have intervened for both (b) (6) & I that will have us working from home today.

We can either have (b) (6) setup a zoom call and keep the 1415 appointment today, or re-schedule for tomorrow (afternoon) when I know that I will be in the office.

Please let me know your preference.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Thursday, September 2, 2021 12:47 PM

To: (b) (6)

Subject: RE: Completion of Investigative Report

That works for me, (b) (6) 1415 Tuesday. v/r, (b) (6)

-----Original Message-----

From: (b) (6)

Sent: Thursday, September 2, 2021 12:28 PM

To: (b) (6)

Subject: Re: Completion of Investigative Report

Very good. I'm teaching on Tuesday from 0830-1030. I can do 1100 or after 1400. Why don't we plan on 1415?

Thanks,

(b) (6)

(b) (6)

---

From: (b) (6)  
Sent: Thursday, September 2, 2021 12:03 PM  
To: (b) (6)  
Subject: RE: Completion of Investigative Report

(b) (6)

Good afternoon. I am sorry to hear about the flooding issues at your home and hope they get rectified quickly.

Unfortunately, I am on leave tomorrow due to travel for the holiday weekend and will be unavailable. Can we re-schedule for Tuesday? I intend to be in the office that day. Assuming we have the bi-weekly senior leader meeting from 0900-1030, my only other scheduled commitment is from 1300-1400. So, I do have a decent amount of white space that day for another meeting. Please let me know what works best for you, sir.

(b) (6)

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)  
Sent: Thursday, September 2, 2021 11:52 AM  
To: (b) (6)  
Subject: Re: Completion of Investigative Report

(b) (6)

Can we reschedule this meeting for tomorrow (any time tomorrow)? I'm in the process of draining the water out of my house which will extend through the next few hours.

Thanks,

(b) (6)

---

From: (b) (6)  
Sent: Thursday, September 2, 2021 8:54 AM  
To: (b) (6)  
Subject: Re: Completion of Investigative Report

Returned late last night. I'll attend via phone.

V/r, (b) (6)

(b) (6)

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---

From: (b) (6)  
Sent: Monday, August 30, 2021 3:03 PM  
To: (b) (6)  
Subject: RE: Completion of Investigative Report

(b) (6)

Good afternoon. Let's meet in my office on Thursday at 1300. If (b) (6) isn't scheduled to be in the office that day, I can have her participate over the phone.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)  
Sent: Monday, August 30, 2021 12:35 PM  
To: (b) (6)  
Subject: Fw: Completion of Investigative Report

(b) (6)

As noted, I want to meet in person here at NWC to walk through all of the comments on the document in order to solicit explanations/recommendations. I noted that (b) (6) was not available until today, and now note that (b) (6) is not available until 2 Sep.

I will proceed as you desire -- noting the suddenly renewed sense of urgency. I am available this week on Thursday afternoon and all day Friday. I am also available any day after 1630. Please let me know what is convenient for you.

Thank you,

(b) (6)

---

From: (b) (6)  
Sent: Monday, August 30, 2021 12:23 PM  
To: (b) (6)  
Cc: (b) (6)

Subject: Re: Completion of Investigative Report

(b) (6)

I am as anxious as anyone to bring this to a satisfactory conclusion and am committed to do whatever that takes. I understood from the e-mail below

(b) (6)

that (b) (6) would not be available until today at the earliest. I will contact him and (b) (6) to set up an appointment to walk through the document. Most of the comments on the document (e.g. the repeated phrase "Improper Conclusion") are meaningless to me as a non-lawyer and will thus require a detailed explanation and recommendation for change if that is so warranted.

I officially submitted the investigation report on 30 June, as directed, in order to respond to what was then portrayed as a sense of urgency. Having received no feedback over the last two months, I was led to conclude that the report was considered satisfactory and that no further action was required. I am now in a full-time teaching mode but will endeavor to give this task the necessary priority.

Best,

(b) (6)

---

From: (b) (6)  
Sent: Monday, August 30, 2021 8:00 AM  
To: (b) (6)  
Cc: (b) (6)  
Subject: Fw: Completion of Investigative Report

Good Morning (b) (6)

Following up on (b) (6) e-mail below. (b) (6) is anxious to receive this report, but as (b) (6) notes, it requires a little more work.

HR and OGC are standing by to assist as needed.

Thank you.

vr, (b) (6)

(b) (6)

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From: (b) (6)

Sent: Monday, August 23, 2021 8:01 AM

To: (b) (6)

Cc: (b) (6)

Subject: Completion of Investigative Report

(b) (6)

Your investigative report regarding unprofessional behavior in the Strategy Department has been reviewed. The report is considered incomplete and needs your attention. For instance, all twenty-five interviews should be summarized and included as enclosures. Any statements made in these interviews should be attributed to their source. Also, there are several statements made that are conclusions, you write "I have determined". These statements must be eliminated as they are your opinion, and the report should only contain facts.

Thank you for working these issues.

I have enclosed the report (with OGC and HR comments) for your review and update. If you have any questions, I am available. (b) (6) returns from leave tomorrow and the (b) (6) is on military leave and will be available on 30 August.

vr,

(b) (6)

.

(b) (6)

**Re: LER memo re S&P Pre-Action Investigation Report (FOUO)**

(b) (6)

Wed 12/8/2021 12:41 PM

To: (b) (6)

Cc: (b) (6)

3 attachments (4 MB)

2\_Endorsement (b) (6) \_PreAction Investigation\_3Dec21.docx; COORDINATION\_SHEET\_DIGITAL ROUTING\_8Dec21.pdf;  
LER\_memo\_SP\_investigation\_8Dec21\_signed.pdf;

(b) (6)

My apologies for the spam. Here is a new draft endorsement. I'm adding "Investigation closed" to the endorsements.

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)**Sent:** Wednesday, December 8, 2021 10:29 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** LER memo re S&P Pre-Action Investigation Report (FOUO)

(b) (6),

Attached is my memo on (b) (6)' pre-action investigation report, a draft endorsement, and the digital routing sheet. A hard copy of the investigation is in a white binder on my desk to give to (b) (6). It should be easier for him to review the hard copy so he can refer to enclosures as he reads the report. The investigation is saved in our shared drive. I have given (b) (6) and (b) (6) access to the Teams folder if they want to look at the digital copy of the report.

V/r, (b) (6)

(b) (6)

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Re: PAI Report: S&P (b) (6)

(b) (6)

Wed 12/15/2021 11:53 AM

To: (b) (6)

Cc: (b) (6)

1 attachments (20 KB)

2\_Endorsement (b) (6)\_PreAction Investigation\_3Dec21.docx;

(b) (6)

Not sure if you have provided this to (b) (6) for smoothing/serialization, but here it is (didn't want to assume anything).

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)

**Sent:** Tuesday, December 14, 2021 10:05 AM

**To:** (b) (6)

**Subject:** PAI Report: S&P (b) (6) )

All,

I have read the report and the supporting materials provided to me in the binder.

I concur with LER's recommended endorsement. Please smooth the letter for my signature.

(b) (6) - you can retrieve the binder from my desk.

Thanks!

(b) (6)

(b) (6)

**Endorsement on S&P reports (FOUO - Do Not Forward or Share)**

(b) (6)

Mon 12/20/2021 5:09 PM

To: (b) (6)

Cc: (b) (6)

2 attachments (104 KB)

2\_Endorsement (b) (6)\_PreAction Investigation\_3Dec21 - Provost signed - 17 Dec 2021.pdf; Endorsement on PreAction Investigation\_9Dec21 - Provost signed - 17 Dec 2021.pdf;

(b) (6),

Attached please find the endorsements on the reports of (b) (6) and (b) (6). I have also given you access to a Teams Folder named "S&P Reports" where you can read both reports. We are not the release authority, so please do not download or share with anyone. If anyone asks for a copy of the investigation(s), you may direct them to (b) (6), the Staff Judge Advocate, who will explain the FOIA request process.

Please let me know if you have any questions. Thank you.

V/r, (b) (6)

(b) (6)

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## Re: Bullying investigation and my role on a committee

(b) (6)

Tue 2/9/2021 9:52 AM

To: Murray, Nicholas A., CIV, NAVWARCOL &lt;Nicholas.Murray@usnwc.edu&gt;

Cc: (b) (6)

(b) (6)

I understand your concern. I will be meeting with (b) (6) and (b) (6) on another issue. May I bring this up with them?

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Tuesday, February 9, 2021 8:59 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Bullying investigation and my role on a committee

Dear (b) (6) and (b) (6)

I hope you are both doing ok in this spell of bad weather. My girls are enjoying sledding in the garden. I am not enjoying recent bouts of shoveling.

I was (last week) asked to run the Woodson competition for student papers (as is normal for me each year). However, I am not sure I am able to fulfil my role as chair or a committee member as I was accused of bullying and harassing (b) (6) when I asked her to step aside from the committee last year after she had submitted one of her own student's papers. Although recusal is standard practice, to prevent a conflict of interest, and has been anywhere I have worked, the complaint and its irresolution means I am unsure if I can or want to take on any such roles either now or in the future.

Obviously, being cleared is really important to me but I am worried about my service. It makes up one third of my performance evaluation. If I cannot carry out my normal service because of a false accusation, that negatively affects my ability to do my job. What am I meant to do? I understand you don't control the process, but I was hoping you might be able to clarify what is going on, when I can expect to hear something, and what I can do regarding this issue? Right now, I scared to serve in any capacity with a colleague who makes false accusations. Do I have any recourse?

Thank you again for your time and consideration.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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---

**From:** (b) (6)**Sent:** Tuesday, January 26, 2021 3:44 PM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

(b) (6)

Cc: (b) (6)

Subject: Re: Bullying investigation

(b) (6)

Can I call you now? What is your number?

vr,

(b) (6)

(b) (6)

---

From: Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

Sent: Tuesday, January 26, 2021 3:23 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Bullying investigation

(b) (6)

Sorry to be a pest, but it has been months and I have not even been told what happened to the allegations about me let alone seen the report.

Back in December you said the report had been received and was being reviewed. Could you let me know what is going on, or with whom I should speak?

I have sent an email to (b) (6) asking the same question.

Thank you,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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<https://kansaspess.ku.edu/978-0-7006-3034-9.html>

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From: (b) (6)

Sent: Wednesday, January 20, 2021 10:37 AM

To: Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

Cc: (b) (6)

Subject: Re: Bullying investigation

Nick,

We had some connectivity problems with the investigating officer when he transitioned from active duty to civilian status. We should be hearing shortly from the investigating officer.

vr,

(b) (6)

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Wednesday, January 20, 2021 10:29 AM  
**To:** (b) (6) >  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Dear (b) (6)

Happy New Year to you all.

I still have not been told the bullying investigation's findings. Please could you let me know what my options are? This has been hanging over me for months now.

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
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<https://www.nebraskapess.unl.edu/potomac-books/9781597975537/>  
<https://kansaspess.ku.edu/978-0-7006-3034-9.html>

---

**From:** (b) (6)  
**Sent:** Friday, December 11, 2020 10:13 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Nick,

The report was received and being reviewed. That is all I know at this time.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Friday, December 11, 2020 10:11 AM  
**To:** (b) (6)  
**Subject:** Bullying investigation

Dear (b) (6)

Please could you let me know what happened with this? If the report has concluded, please can I see it.

Best,

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.

(b) (6)

Department of Strategy and Policy  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

## Re: Bullying and harassment charges

(b) (6)

Tue 2/9/2021 2:48 PM

To: (b) (6)

(b) (6)

(b) (6) just recently received a copy of the investigation due to unexpected delays. She is out this afternoon but when she returns today or tomorrow morning she will provide an update.

vr,

(b) (6)

(b) (6)

From: (b) (6)

Sent: Tuesday, February 9, 2021 12:51 PM

To: (b) (6)

Subject: Bullying and harassment charges

Dear (b) (6) and (b) (6)

I'm writing today to respectfully request an update about false accusations of bullying and harassment that were filed against me by my colleague (b) (6).

I was contacted by an investigating officer last summer (while I was on leave, spending time with my family), and I provided him with evidence documenting an interaction I had with (b) (6), after one of my students had attempted to talk to her about her lecture and she accused him of cheating (this was the student's perception of his own interaction with (b) (6)). The investigating officer informed me that he would follow up with me so that I could review the statement and ensure that it accurately reflected my experience.

It has been approximately six months since then, and the officer never followed up with me. Not only have I not been able to determine whether the statement accurately describes my side of the story, I still have not been informed as to the actual charges against me, aside from vague and unsubstantiated (and frankly, false) accusations of "bullying and harassment."

My concern is that as an assistant and untenured professor, I am uniquely vulnerable to these accusations. Do I have any recourse here? If the investigation determines that these accusations were false and/or made in bad faith, will there be any repercussions for (b) (6), or will she be empowered to continue lying about people who try to hold her to certain standards of courtesy and decorum (particularly in interactions with our students)? Can I, for example, file a counter suit against (b) (6)? I certainly consider her lies about me as a form of harassment. Not only did the investigation interrupt my family vacation (it's hard to have fun and relax with your loved ones when you've just been informed that your colleague has filed spurious charges against you) but it is still apparently open, with the potential to jeopardize my future career prospects at the war college. This is very serious indeed.

Thank you in advance for any information or guidance you can provide.

Best wishes,

(b) (6)

(b) (6)

**Re: Bullying investigation and my role on a committee**

Murray, Nicholas A., CIV, NAVWARCOL

Thu 2/11/2021 12:16 PM

To: (b) (6)

Cc: (b) (6)

(b) (6)

Thank you.

I still, however, have a number of questions. When will the discussion happen with the SJA? When will I know the result? What will happen to the accuser if the allegations against me are found to be without merit? As I believe they are. Will there be an official response to (b) (6) retaliation against me and others for her not gaining tenure? Also, what about the hostile work environment these false allegations have created where I no longer feel safe working with, around, or in the same department as a colleague?

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

---

**From:** (b) (6)**Sent:** Thursday, February 11, 2021 12:01 PM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Cc:** (b) (6)**Subject:** Re: Bullying investigation and my role on a committee

Nick,

Understand your frustration. (b) (6) will be discussing the report with the SJA. As far as the alternate resolution process, (b) (6) is no longer the supervisor and if you want us to arrange with (b) (6) we will be happy to do so. (b) (6) has been in place for over 6 months now and I believe he will remain for a while longer.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Thursday, February 11, 2021 11:53 AM**To:** (b) (6)**Cc:** (b) (6) >**Subject:** Re: Bullying investigation and my role on a committee

Dear (b) (6)

Please could you let me know the result of the meeting with (b) (6)

Also, what is the status of (b) (6) allegations? As I understand the rules, this is meant to be dealt with in a timely fashion. I am not sure six months is timely.

This academic year my service is being crippled because of the allegations, and service has always been a large part of my outstanding DPMAP scores. I can't carry out my normal service because of the allegations and I am effectively precluded from carrying out other

(b) (6)

service as well because I don't feel safe doing anything that might lead to another false accusation. I get told it is ok, but how can I serve in the same roles when under a cloud? This hostile work environment undermines my ability to do my job effectively and efficiently. Also, I believe (b) (6) allegations were made in retaliation for her failure to gain tenure. If they are found to be without merit, what will happen to her? I have previously asked about my options regarding her use of the official system to bully others, and I am still waiting to find out.

When I wanted to go down the route of arbitration last time there was a problem as I told you on the phone, it was made clear by (b) (6) that he would not go against (b) (6) no matter what evidence I presented. That is despite both he and (b) (6) authoring and responding in writing to the request that I add wargaming to my teaching. Thus, I am at a loss as to what to do, and I certainly don't feel safe going back to work with someone who throws around false accusations. What is the solution here?

If I sound frustrated, it is because I cannot get a clear answer as to where I stand regarding the false allegations made against me and what my options are. Neither has it been made clear what will happen when (b) (6) returns from her sabbatical. Based on her false accusations, I don't feel safe being in the same department, let alone in proximity to her. If I can be falsely accused of something when I rarely even interact with them, where does this stop?

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

---

**From:** (b) (6)  
**Sent:** Tuesday, February 9, 2021 2:50 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Nick,

(b) (6) and I are meeting with (b) (6) tomorrow morning.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, February 9, 2021 9:55 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Please do. I did mention the issue with committees to (b) (6) and I let him know I was thinking of asking for your feedback. Originally I was going to wait, but the uncertainty is awful.

Nick

P.S. Please know that you being willing to listen is really helpful.

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

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<https://www.nebraskapress.unl.edu/potomac-books/9781597975537/>  
<https://kansaspres.ku.edu/978-0-7006-3034-9.html>

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**From:** (b) (6)  
**Sent:** Tuesday, February 9, 2021 9:52 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Nick,

I understand your concern. I will be meeting with Kevin McKranie and Phil Haun on another issue. May I bring this up with them?

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, February 9, 2021 8:59 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Bullying investigation and my role on a committee

Dear (b) (6) and (b) (6)

I hope you are both doing ok in this spell of bad weather. My girls are enjoying sledding in the garden. I am not enjoying recent bouts of shoveling.

I was (last week) asked to run the Woodson competition for student papers (as is normal for me each year). However, I am not sure I am able to fulfil my role as chair or a committee member as I was accused of bullying and harassing (b) (6) when I asked her to step aside from the committee last year after she had submitted one of her own student's papers. Although recusal is standard practice, to prevent a conflict of interest, and has been anywhere I have worked, the complaint and its irresolution means I am unsure if I can or want to take on any such roles either now or in the future.

Obviously, being cleared is really important to me but I am worried about my service. It makes up one third of my performance evaluation. If I cannot carry out my normal service because of a false accusation, that negatively affects my ability to do my job. What am I meant to do? I understand you don't control the process, but I was hoping you might be able to clarify what is going on, when I can expect to hear something, and what I can do regarding this issue? Right now, I scared to serve in any capacity with a colleague who makes false accusations. Do I have any recourse?

Thank you again for your time and consideration.

Sincerely,

Nick

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**From:** (b) (6)  
**Sent:** Tuesday, January 26, 2021 3:44 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Nick,

Can I call you now? What is your number?

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, January 26, 2021 3:23 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

(b) (6)

Sorry to be a pest, but it has been months and I have not even been told what happened to the allegations about me let alone seen the report.

Back in December you said the report had been received and was being reviewed. Could you let me know what is going on, or with whom I should speak?

I have sent an email to (b) (6) asking the same question.

Thank you,

Nick

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---

**From:** (b) (6)  
**Sent:** Wednesday, January 20, 2021 10:37 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Nick,

We had some connectivity problems with the investigating officer when he transitioned from active duty to civilian status. We should be hearing shortly from the investigating officer.

vr,

(b) (6)

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Wednesday, January 20, 2021 10:29 AM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Re: Bullying investigation

Dear (b) (6)

Happy New Year to you all.

I still have not been told the bullying investigation's findings. Please could you let me know what my options are? This has been hanging over me for months now.

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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---

**From:** (b) (6)**Sent:** Friday, December 11, 2020 10:13 AM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Cc:** (b) (6)**Subject:** Re: Bullying investigation

Nick,

The report was received and being reviewed. That is all I know at this time.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Friday, December 11, 2020 10:11 AM**To:** (b) (6)**Subject:** Bullying investigation

Dear (b) (6)

Please could you let me know what happened with this? If the report has concluded, please can I see it.

Best,

(b) (6)

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.  
Department of Strategy and Policy  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

**Re: Bulling allegation**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 1:49 PM

To: (b) (6)

Dear (b) (6) and (b) (6)

Thank you for letting me know.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>.

---

**From:** (b) (6)**Sent:** Friday, February 12, 2021 1:48 PM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>; (b) (6)**Subject:** Re: Bulling allegation

Received.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Friday, February 12, 2021 1:11 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Bulling allegation

Dear (b) (6) and (b) (6)

You should have received 6 emails from me regarding this topic, including this one.

Please could you confirm you have them all?

I will send one more email after this and relating to the hostile work environment.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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(b) (6)



**Re: Results of Interview (FOUO)**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 3:14 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6) and (b) (6)

One more thing that was not in the report but which I told (b) (6) How did (b) (6) know I emailed the Belfer Center? That was brought up in confidence in the meeting itself, which indicates someone in that meeting told her or that (b) (6) let her know.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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---

**From:** (b) (6)**Sent:** Friday, February 12, 2021 11:26 AM**To:** Murray, Nicholas A., CIV, NAVWARCOL**Cc:** (b) (6)**Subject:** Results of Interview (FOUO)

Nick,

We received the attached Results of Interview which is a summary of the investigating officer's interview of you. It is unclear whether you reviewed this for accuracy; therefore, we wanted to ensure you had an opportunity to review it. Please confirm its accuracy and let us know if you have any corrections.

Thank you.

V/r, (b) (6)

(b) (6)

This e-mail is For Official Use Only, is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product, privacy sensitive or that is otherwise exempt from disclosure under applicable law. Any misuse or unauthorized disclosure of privacy sensitive information may result in civil and criminal penalties. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.

## Re: Bullying investigation and my role on a committee

(b) (6)

Fri 2/12/2021 7:13 AM

To: (b) (6)

Great thought. We meet with (b) (6) today. I'll call you this morning.

vr,

(b) (6)

(b) (6)

---

**From:** Sharp, Ellen J., CIV , NAVWARCOL <Ellen.Sharp@usnwc.edu>**Sent:** Thursday, February 11, 2021 11:40 PM**To:** (b) (6)**Subject:** Fw: Bullying investigation and my role on a committee

(b) (6)

We will talk in the morning, but I don't want to lose my thought. The S&P department needs an intervention like a group workplace dispute resolution process (I can't think of the correct term now) -- what (b) (6) does, but not sure if (b) (6) is the right person to do it. It may be better if we get someone from outside the command.

V/r, (b) (6)

(b) (6)

This e-mail is For Official Use Only, is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product, privacy sensitive or that is otherwise exempt from disclosure under applicable law. Any misuse or unauthorized disclosure of privacy sensitive information may result in civil and criminal penalties. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Thursday, February 11, 2021 12:16 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Re: Bullying investigation and my role on a committee

(b) (6)

Thank you.

I still, however, have a number of questions. When will the discussion happen with the SJA? When will I know the result? What will happen to the accuser if the allegations against me are found to be without merit? As I believe they are. Will there be an official response to (b) (6) retaliation against me and others for her not gaining tenure? Also, what about the hostile work environment these false allegations have created where I no longer feel safe working with, around, or in the same department as a colleague?

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

(b) (6)

---

**From:** (b) (6)  
**Sent:** Thursday, February 11, 2021 12:01 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Nick,

Understand your frustration. (b) (6) will be discussing the report with the SJA. As far as the alternate resolution process, (b) (6) is no longer the supervisor and if you want us to arrange with (b) (6) we will be happy to do so. (b) (6) has been in place for over 6 months now and I believe he will remain for a while longer.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Thursday, February 11, 2021 11:53 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Dear (b) (6)

Please could you let me know the result of the meeting with (b) (6)

Also, what is the status of (b) (6) allegations? As I understand the rules, this is meant to be dealt with in a timely fashion. I am not sure six months is timely.

This academic year my service is being crippled because of the allegations, and service has always been a large part of my outstanding DPMAP scores. I can't carry out my normal service because of the allegations and I am effectively precluded from carrying out other service as well because I don't feel safe doing anything that might lead to another false accusation. I get told it is ok, but how can I serve in the same roles when under a cloud? This hostile work environment undermines my ability to do my job effectively and efficiently. Also, I believe (b) (6) allegations were made in retaliation for her failure to gain tenure. If they are found to be without merit, what will happen to her? I have previously asked about my options regarding her use of the official system to bully others, and I am still waiting to find out.

When I wanted to go down the route of arbitration last time there was a problem as I told you on the phone, it was made clear by (b) (6) that he would not go against (b) (6) no matter what evidence I presented. That is despite both he and (b) (6) authoring and responding in writing to the request that I add wargaming to my teaching. Thus, I am at a loss as to what to do, and I certainly don't feel safe going back to work with someone who throws around false accusations. What is the solution here?

If I sound frustrated, it is because I cannot get a clear answer as to where I stand regarding the false allegations made against me and what my options are. Neither has it been made clear what will happen when (b) (6) returns from her sabbatical. Based on her false accusations, I don't feel safe being in the same department, let alone in proximity to her. If I can be falsely accused of something when I rarely even interact with them, where does this stop?

Sincerely,

Nick

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Strategy and Policy Department  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>



---

**From:** (b) (6)  
**Sent:** Tuesday, February 9, 2021 2:50 PM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Nick,

(b) (6) and I are meeting with (b) (6) tomorrow morning.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, February 9, 2021 9:55 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Please do. I did mention the issue with committees to (b) (6) and I let him know I was thinking of asking for your feedback. Originally I was going to wait, but the uncertainty is awful.

Nick

P.S. Please know that you being willing to listen is really helpful.

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**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation and my role on a committee

Nick,

I understand your concern. I will be meeting with (b) (6) and (b) (6) on another issue. May I bring this up with them?

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, February 9, 2021 8:59 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Bullying investigation and my role on a committee

Dear (b) (6) and (b) (6)

I hope you are both doing ok in this spell of bad weather. My girls are enjoying sledding in the garden. I am not enjoying recent bouts of shoveling.

I was (last week) asked to run the Woodson competition for student papers (as is normal for me each year). However, I am not sure I am able to fulfil my role as chair or a committee member as I was accused of bullying and harassing (b) (6) when I asked her to step aside from the committee last year after she had submitted one of her own student's papers. Although recusal is standard practice, to prevent a conflict of interest, and has been anywhere I have worked, the complaint and its irresolution means I am unsure if I can or want to take on any such roles either now or in the future.

Obviously, being cleared is really important to me but I am worried about my service. It makes up one third of my performance evaluation. If I cannot carry out my normal service because of a false accusation, that negatively affects my ability to do my job. What am I meant to do? I understand you don't control the process, but I was hoping you might be able to clarify what is going on, when I can expect to hear something, and what I can do regarding this issue? Right now, I scared to serve in any capacity with a colleague who makes false accusations. Do I have any recourse?

Thank you again for your time and consideration.

Sincerely,

Nick

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**From:** (b) (6)  
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**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Nick,

Can I call you now? What is your number?

vr,

(b) (6)

(b) (6)

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Tuesday, January 26, 2021 3:23 PM  
**To:** (b) (6)

Cc: (b) (6)

Subject: Re: Bullying investigation

(b) (6)

Sorry to be a pest, but it has been months and I have not even been told what happened to the allegations about me let alone seen the report.

Back in December you said the report had been received and was being reviewed. Could you let me know what is going on, or with whom I should speak?

I have sent an email to (b) (6) asking the same question.

Thank you,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

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Cc: (b) (6)

Subject: Re: Bullying investigation

Nick,

We had some connectivity problems with the investigating officer when he transitioned from active duty to civilian status. We should be hearing shortly from the investigating officer.

vr,

(b) (6)

(b) (6)

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Subject: Re: Bullying investigation

Dear (b) (6)

Happy New Year to you all.

I still have not been told the bullying investigation's findings. Please could you let me know what my options are? This has been hanging over me for months now.

Best,

Nick

(b) (6)

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**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Bullying investigation

Nick,

The report was received and being reviewed. That is all I know at this time.

vr,

(b) (6)

(b) (6)

---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Friday, December 11, 2020 10:11 AM  
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**Subject:** Bullying investigation

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Best,

Nick

Nicholas Murray, D.Phil., F.R.Hist.S.  
Department of Strategy and Policy  
U.S. Naval War College  
<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

## Re: Results of Interview (FOUO)

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 12:41 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6)

Thank you.

I had not seen this. There are a number of inaccuracies. In addition, I will forward the email to the Belfer Center that is referenced. I had no idea I was accused of bullying them. I think the email will speak for itself. I will also provide the email I sent to the committee as my contribution to the discussion, as I was overseas and unable to take part in the meeting directly. This email is the one (b) (6) provided to (b) (6).

Re: (b) (6) Interview:

Paragraph 1: I am a full professor and was at the date of interview. I was selected for tenure on my first attempt, and to full professor on my second attempt. I was previously at the Army Command and General Staff College.

Paragraph 2: I let (b) (6) know that the issue regarded policy-related work that was allowed and included for (b) (6) but not for me or (b) (6). I think it should be included as it was correctly for (b) (6), but previously we were told by the same committee members that it did not count.

Paragraph 3: nothing to add.

Paragraph 4: I received the reports along with all of the other members of the committee. The bar being applied was not close to the one applied to previous candidates. For tenure, I had a book, multiple articles, and my policy work was excluded; (b) (6) had half a dozen peer reviewed articles with top journals and a book contract but was told the book needed to be in print or about to be printed and that his prior policy work did not count (he was promoted at the second attempt after his book was about to come out in print); (b) (6) had no book (just a contract) and less scholarly work than either of us, but her policy work was being included unlike it had been for previous candidates.

Paragraph 5: Both the then chair and Dean accepted there was a conflict of interest, but said they did not feel it was sufficient to remove (b) (6) from assessing (b) (6) work. The relevant email chain was provided to (b) (6) with the links to the relevant guidance which says no conflict of interest is permitted, not even the appearance of one.

Paragraph 6: no issue.

Paragraph 7: (b) (6) did not ask for this email, but I am happy to provide it (I will send it to (b) (6) and (b) (6)). You will note from the email exchange with (b) (6) from the Belfer Center that the Belfer Center does not normally peer review its online articles despite us being told that was the case. The article was peer reviewed by request. I forwarded that fact to the committee chair (b) (6) as this was important in showing the article was indeed peer reviewed given that we were not certain it had been and because we had been given incorrect information regarding that fact.

Paragraph 8: I sent the entire exchange to (b) (6). I asserted that (b) (6) had formally made a complaint to (b) (6). (b) (6) refused to accept that it was a formal complaint despite not being able to explain what a formal complaint would entail. When asked what the procedures were for a formal complaint he accepted there were none. This was brought up at the meeting, and it should be noted that only my comments appear to have been shared with (b) (6).

Paragraph 9: I have been chair of the committee for several years, and as I mentioned to (b) (6) it is and has been standard practice to have faculty who submit their own student's papers step down from judging them because of the risk of a conflict of interest or the appearance of one. Occasionally this is not possible due to the number of papers, or the lack of available faculty, but it has been standard practice for any award committee I have been on.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

---

From: (b) (6)

Sent: Friday, February 12, 2021 11:26 AM

To: Murray, Nicholas A., CIV, NAVWARCOL

Cc: (b) (6)

Subject: Results of Interview (FOUO)

(b) (6)

We received the attached Results of Interview which is a summary of the investigating officer's interview of you. It is unclear whether you reviewed this for accuracy; therefore, we wanted to ensure you had an opportunity to review it. Please confirm its accuracy and let us know if you have any corrections.

Thank you.

V/r, (b) (6)

(b) (6)

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**Re: Hostile Work Environment: bullying and harassment**

Murray, Nicholas A., CIV, NAVWARCOL

Fri 2/12/2021 2:37 PM

To: (b) (6)

Cc: (b) (6)

Dear (b) (6)

Thank you.

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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**From:** (b) (6)**Sent:** Friday, February 12, 2021 1:50 PM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Cc:** (b) (6)**Subject:** Re: Hostile Work Environment: bullying and harassment

Nick,

Below are your administrative options regarding your complaint.

Alternative Dispute Resolution (ADR)/Mediation. The Navy encourages using ADR including mediation to resolve disputes. If you would like to request mediation, you may contact (b) (6), NWC Human Resources Specialist, at (b) (6) and she will coordinate that.

Administrative Grievance. You may try to resolve your differences via the informal grievance process. If you feel you have been unable to resolve your differences, you may request alternative dispute resolution (ADR) including mediation (see above) by contacting (b) (6). If you are still unable to resolve your differences, then you may file a formal administrative grievance. You are not required to use the informal grievance or ADR process, but the Navy encourages parties to resolve disputes informally. If you do file a formal grievance, you would submit your grievance to the Acting Provost, (b) (6) who would be the deciding official.

I have also attached a copy of the Administrative Grievance System instruction, SECNAVINST 12771.2, that provides detailed information on the policy and process.

Timelines. You have 15 calendar days to file an informal grievance after the after you were notified of the action/decision, and then you have 15 calendar days after a decision is made on your informal grievance if you are not satisfied with that decision. If you skip the informal grievance/ADR process, then you have 15 calendar days after you were notified of the action/decision to submit your formal grievance. See paragraphs (a)(2) and (b)(1) that spell out the timelines for informal and formal grievances. Note: If you file an IG complaint, the grievance process will be suspended until the IG complaint process has concluded. Please let me know if you have any other questions regarding the process.

Equal Employment Opportunity. If you want to discuss your rights under EEO, you may contact (b) (6) EEO Specialist, at (b) (6). Per 29 C.F.R. 1614.105(a), you must contact an EEO counselor within 45 calendar days of the date of the alleged discrimination, the effective date of the personnel action involved, or the date you knew or reasonably should have known of the discriminatory event or personnel action.

Navy Inspector General (IG). You have the right to contact the Navy Inspector General. The NWC IG is (b) (6) who may be contacted at (b) (6). Navy IG contact information may also be found on the NWC intranet.

You also have the right to consult with legal counsel at your own cost.

I have also copied (b) (6) in case I have missed anything. Please let me know if you have any other questions.

V/r, (b) (6)

(b) (6)

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---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

**Sent:** Friday, February 12, 2021 1:33 PM

**To:** (b) (6)

**Cc:** (b) (6)

**Subject:** Hostile Work Environment: bullying and harassment

Dear (b) (6) (b) (6) and (b) (6)

I would like to report a hostile work environment created by (b) (6), caused by her harassment, bullying, and retaliation via the official complaints process.

Having had a chance to go through the emails again and the false allegations made by (b) (6), I feel that the environment at work is now so hostile I cannot safely return or carry out my specified duties in an effective or efficient manner. Currently, I feel unable to fulfil my duties as chair of the Woodson committee because I am frightened I will again be accused of bullying or harassment merely for following past practice in trying to avoid a conflict of interest in my committee work. Furthermore, how can I do my due diligence in assessing a candidate for promotion or tenure when there is a high degree of certainty that I will be accused of bullying or harassment for so doing? The supreme irony is that by contacting the Belfer center, which I apparently was accused of bullying, I was able to show the article she published (which we had been incorrectly told were always peer reviewed by the Belfer Center) was indeed peer reviewed when normally they are not. That was in (b) (6) favor and I passed that information on to the department chair and the tenure committee chair. Yet I stand accused of harassing and bullying her for doing this.

It is my view that (b) (6) used the formal complaints process to retaliate against me, and others, for her failure to gain tenure or for perceived slights against her.

Sincerely,

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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<https://kansaspess.ku.edu/978-0-7006-3034-9.html>



**Re: Results of Interview (FOUO)**

Murray, Nicholas A., CIV, NAVWARCOL

Mon 2/22/2021 8:31 AM

To: (b) (6)

15 attachments (1 MB)

1 Woodson Prize confirmation regarding conflict of interest practice.pdf; 2 2019 Woodson Prize Committee confirmation (b) (6) submitted a paper.pdf; 3 2019 Woodson Prize Committee inc (b) (6).pdf; 4 2020 Woodson Confirmation Question of Conflict came up before I knew who the professor was.pdf; 5 2020 Woodson Confirmation that (b) (6) teaching team submitted the paper.pdf; 6 2020 Woodson Confirmation (b) (6) was also on initial judging panel.pdf; 7 2020 Woodson Confirmation (b) (6) and (b) (6) were not able to judge.pdf; 8 2020 Woodson Confirmation (b) (6) was prevented from judging.pdf; 9 2020 Woodson Confirmation (b) (6) also removed from judging panel.pdf; 10 Belfer Center Initial Email Exchange.pdf; 11 Belfer Center Initial Email Exchange.pdf; 12 Belfer Center Confirmation to (b) (6).pdf; 13 Belfer Center Final email Exchange.pdf; 14 Conflict of Interest.pdf; 15 Conflict of Interest.pdf;

Dear (b) (6)

These might be easier to use than the multiple email strings I sent previously. I have included the pdf already sent in the attachments contained herein.

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

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From: (b) (6)

Sent: Monday, February 22, 2021 8:20 AM

To: Murray, Nicholas A., CIV, NAVWARCOL &lt;Nicholas.Murray@usnwc.edu&gt;

Cc: (b) (6)

Subject: Re: Results of Interview (FOUO)

Nick,

I will let you know if we need that information, but I think it is already included. You are certainly welcome to provide it to me.

V/r, (b) (6)

(b) (6)

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From: Murray, Nicholas A., CIV, NAVWARCOL &lt;Nicholas.Murray@usnwc.edu&gt;

Sent: Monday, February 22, 2021 8:03 AM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Results of Interview (FOUO)

(b) (6)

Thanks for letting me know. I also have now dug up the emails (and converted them into pdfs) from the Woodson Committee which show that (b) (6) (one of our former Deans) acknowledged he would only be able to serve if he did not submit a student paper, and that (b) (6) was one of several people who had to step down due to a conflict of interest. All of this also shows the alleged 'bullying' took place months before she filed her grievance. I would be happy to provide them.

Nick

Nicholas Murray D.Phil., F.R.Hist.S.  
Strategy and Policy Department  
U.S. Naval War College  
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<https://kansaspress.ku.edu/978-0-7006-3034-9.html>

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**From:** (b) (6)  
**Sent:** Monday, February 22, 2021 7:43 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Cc:** (b) (6)  
**Subject:** Re: Results of Interview (FOUO)

Nick,

Thank you. I will add this to the investigation report.

V/r, (b) (6)

(b) (6)

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**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
**Sent:** Sunday, February 21, 2021 1:15 PM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Results of Interview (FOUO)

Dear (b) (6)

I am not sure this email exchange (att. as a pdf) was part of what I sent you. It is, and it relates to the Belfer Center allegation. I found it as I went through the emails related to the allegations.

Please note, regarding the Belfer Center allegation, (b) (6) indicated he expected us to do our own research on the candidate's scholarship and to come to our own judgement. See email March 6 2019, 2:52pm. The contact with the Belfer center should be seen in that light, and in light of my allegations of a conflict of interest regarding (b) (6) role. I do not believe we were receiving a consistent or fully accurate answer regarding that specific topic (i.e. Belfer paper).

Last, I thought we only had 15 days to file from when we reasonably could be assumed to know, or when we knew of the problem? In the two allegations against me the filing was months after (b) (6) would have known or could be reasonably assumed to have known. as such, why was the allegation allowed to proceed?

Best,

(b) (6)

(b) (6)

(b) (6)

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<https://www.nebraskapress.unl.edu/potomac-books/9781597975537/>

<https://kansaspess.ku.edu/978-0-7006-3034-9.html>

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**From:** Murray, Nicholas A., CIV, NAVWARCOL

**Sent:** Friday, February 12, 2021 12:41 PM

**To:** (b) (6)

**Cc:** (b) (6)

**Subject:** Re: Results of Interview (FOUO)

Dear (b) (6)

Thank you.

I had not seen this. There are a number of inaccuracies. In addition, I will forward the email to the Belfer Center that is referenced. I had no idea I was accused of bullying them. I think the email will speak for itself. I will also provide the email I sent to the committee as my contribution to the discussion, as I was overseas and unable to take part in the meeting directly. This email is the one (b) (6) provided to (b) (6)

Re: (b) (6) Interview:

Paragraph 1: I am a full professor and was at the date of interview. I was selected for tenure on my first attempt, and to full professor on my second attempt. I was previously at the Army Command and General Staff College.

Paragraph 2: I let (b) (6) know that the issue regarded policy-related work that was allowed and included for (b) (6) but not for me or (b) (6). I think it should be included as it was correctly for (b) (6), but previously we were told by the same committee members that it did not count.

Paragraph 3: nothing to add.

Paragraph 4: I received the reports along with all of the other members of the committee. The bar being applied was not close to the one applied to previous candidates. For tenure, I had a book, multiple articles, and my policy work was excluded; (b) (6) had half a dozen peer reviewed articles with top journals and a book contract but was told the book needed to be in print or about to be printed and that his prior policy work did not count (he was promoted at the second attempt after his book was about to come out in print); (b) (6) had no book (just a contract) and less scholarly work than either of us, but her policy work was being included unlike it had been for previous candidates.

Paragraph 5: Both the then chair and Dean accepted there was a conflict of interest, but said they did not feel it was sufficient to remove (b) (6) from assessing (b) (6) work. The relevant email chain was provided to (b) (6) with the links to the relevant guidance which says no conflict of interest is permitted, not even the appearance of one.

Paragraph 6: no issue.

Paragraph 7: (b) (6) did not ask for this email, but I am happy to provide it (I will send it to (b) (6) and (b) (6)). You will note from the email exchange with (b) (6) from the Belfer Center that the Belfer Center does not normally peer review its online articles despite us being told that was the case. The article was peer reviewed by request. I forwarded that fact to the committee chair (b) (6) as this was important in showing the article was indeed peer reviewed given that we were not certain it had been and because we had been given incorrect information regarding that fact.

Paragraph 8: I sent the entire exchange to (b) (6). I asserted that (b) (6) had formally made a complaint to (b) (6). (b) (6) refused to accept that it was a formal complaint despite not being able to explain what a formal complaint would entail. When asked what the procedures were for a formal complaint he accepted there were none. This was brought up at the meeting, and it should be noted that only my comments appear to have been shared with (b) (6).

Paragraph 9: I have been chair of the committee for several years, and as I mentioned to (b) (6) is and has been standard practice to have faculty who submit their own student's papers step down from judging them because of the risk of a conflict of interest or the appearance of one. Occasionally this is not possible due to the number of papers, or the lack of available faculty, but it has been standard practice for any award committee I have been on.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

---

**From:** (b) (6)

(b) (6)

**Sent:** Friday, February 12, 2021 11:26 AM  
**To:** Murray, Nicholas A., CIV, NAVWARCOL  
**Cc:** (b) (6)  
**Subject:** Results of Interview (FOUO)

(b) (6)

We received the attached Results of Interview which is a summary of the investigating officer's interview of you. It is unclear whether you reviewed this for accuracy; therefore, we wanted to ensure you had an opportunity to review it. Please confirm its accuracy and let us know if you have any corrections.

Thank you.

V/r, (b) (6)

(b) (6)

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## Potential Issue -- Promotion and Tenure

(b) (6)

Tue 2/23/2021 5:45 AM

To: (b) (6)

Good Morning (b) (6) and (b) (6)

It has come to my attention that (b) (6) sent an email at 10:16 pm on 22 February to the full professors and (b) (6) teaching partner from Academic Year 2019-20 (this email is at the end of this email). I believe the email was sent out of concern that (b) (6) as the chair of the evaluation committee assessing (b) (6) potentially missed an issue when constructing his evaluation report. I do not believe the email was malicious in its intent.

However, as my email of 5:35 am notes, (b) (6) email contradicted the instructions we received from (b) (6). I hope sending the email like I did to all recipients stops the discussion and was an appropriate course of action.

I wish (b) (6) had brought his concerns to my attention. He did not before he sent the email.

I first want to inform you that this happened and second to solicit your advice about what I should do.

I have a doctor's appointment this morning and will not be available until around midday.

Best wishes,

(b) (6)

---

From: (b) (6)

Sent: Tuesday, February 23, 2021 5:35 AM

To: (b) (6)

Cc: S&P Fulls (b) (6)

Subject: Re: Just Following Up

Dear Colleagues,

Please do not respond to this email.

In accordance with first bullet point of the Instructions for Departmental Promotion and Tenure Committees discussed at the start of our meeting on 19 February 2021:

"All information discussed in the committee meetings is confidential and no committee information nor any faculty package is to be discussed outside of official promotion & tenure committee meetings."

This is an essential part of the instructions that we must uphold so we can discuss tenure and promotion packages critically and fairly.

Respectfully,

(b) (6)

---

From: (b) (6)

Sent: Monday, February 22, 2021 10:16 PM

To: (b) (6)

Cc: S&P Fulls (b) (6)

Subject: Just Following Up

(b) (6)

I hope that all is well with you and yours in these challenging times.

(b) (6)

I am just wrapping up my duties as chair of (b) (6) promotion and tenure committee. Thank you for your thoughtful and detailed endorsement of (b) (6) team-teaching efforts.

It has been suggested that the admirably high scores that you and (b) (6) received were, in part, the product of grade inflation. Specifically, that your seminars scored high in their final grades and that was linked to the plus-up in your course critique evaluations.

These would be for ILC Seminar 17 in 2019-20 where your team received a 7.0--(b) (6) scoring a 7.0 and you a 6.8. and SLC Seminar 15 where the team scored a 6.56--(b) (6) a 6.56 and you a 6.78.

These are impressive scores and probably justly deserved, so I just wanted to circle back and make sure that you did not feel pressured to inflate the grades for those two seminars.

All my best

(b) (6)

**Re: Bullying and Harassment Allegations**

Murray, Nicholas A., CIV, NAVWARCOL

Tue 3/16/2021 3:06 PM

To: (b) (6)

Cc: (b) (6)

(b) (6)

Thank you.

Nick

---

**From:** (b) (6)**Sent:** Tuesday, March 16, 2021 3:05 PM**To:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Cc:** (b) (6)**Subject:** Re: Bullying and Harassment Allegations

Nick,

Unfortunately, I cannot give you a definitive answer. We are doing our best to move it along.

V/r, (b) (6)

(b) (6)

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---

**From:** Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>**Sent:** Tuesday, March 16, 2021 3:01 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Re: Bullying and Harassment Allegations

(b) (6)

Thank you. What does that mean for the timeline?

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

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**From:** (b) (6)**Sent:** Tuesday, March 16, 2021 2:59 PM**To:** (b) (6)

Cc: (b) (6)  
Subject: Re: Bullying and Harassment Allegations

(b) (6)

There was a delay due to logistical issues. The investigation is currently being reviewed by command counsel and me.

V/r, (b) (6)

(b) (6)

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---

From: Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>  
Sent: Tuesday, March 16, 2021 2:51 PM  
To: (b) (6)  
Cc: (b) (6)  
Subject: Bullying and Harassment Allegations

Dear (b) (6)

Please could you let me know where the current investigation into (b) (6) allegations stands. The letter (b) (6) showed me had a date of 5 August 2020, and I was contacted by him on 18 August 2020. That is seven months that this has been hanging over my head.

As I believe you are aware, one of the reasons I felt I had little choice but to offer my resignation was the stress and distress caused by the allegations and my fear of having to face my accuser when I would have to return to the workplace. On top of my wife's health problems this is too much to deal with. This ongoing irresolution has served to prolong the agony of not knowing what is going on, and where I stand. I don't want to leave if I can return to work safely even if it is just to get through the time to the minimum retirement age, but right now I feel I have no choice. Should my wife's health, god willing, improve I could well have left a job I had no need to: potentially costing me hundreds of thousands of dollars in pay and benefits on top of the stress and distress this situation is causing.

Sincerely,

(b) (6)



**Re: A Question Regarding the Investigation**

(b) (6)

Tue 5/4/2021 4:00 PM

To: (b) (6)

Folks,

When I debriefed (b) (6), I addressed the specific points in the report and the "unsubstantiated" determination. I also indicated to her that during the investigation she had raised additional concerns that the Command would examine. She should not be surprised by the forthcoming email.

(b) (6)

(b) (6)

---

**From:** (b) (6)**Sent:** Tuesday, May 4, 2021 2:12 PM**To:** (b) (6)**Subject:** Re: A Question Regarding the Investigation

(b) (6)

I'm looping in Andrew for his SA and comment.

V/r, (b) (6)

(b) (6)

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**From:** (b) (6)**Sent:** Tuesday, May 4, 2021 2:07 PM**To:** (b) (6)**Subject:** A Question Regarding the Investigation

Good Afternoon (b) (6) and (b) (6)

(b) (6) emailed me today requesting a Zoom conversation to discuss in her words: "the results of the investigation into my complaint of bullying, harassment, and corruption of the promotion process."

I know (b) (6) has met with her on the subject and Jay has given me an outbrief on the results as well.

I feel that talking with (b) (6) is important for several reasons. First, I would like to know her perspective. Second, she will after her sabbatical need to again become part of the S&P team and talking with her to understand her concerns is an early step in this process. Finally, when a faculty member asks for a meeting I feel it is important to speak with that person.

However, in the discussion issues will come up that I do not have full clarity on how to handle.

The first question asks whether (b) (6) made (b) (6) aware of the follow-on investigation in the outbrief he had with her several weeks ago?

(b) (6)

The second question deals with an email to the S&P Faculty tomorrow regarding the investigation. These are issues (b) (6) has brought up as well as policy and procedure issues relating to (b) (6) Promotion and Tenure. Please note, (b) (6) name is nowhere in the email, but (b) (6) will put two and two together. I assume that if these issues come up, I will tell (b) (6) that when the college leadership becomes aware of allegations, allegations are investigated. This is the system working.

Any other advice would be most welcome and apologies for disturbing you with this email.

Best wishes,

(b) (6)

(b) (6)

**Re: IMPORTANT NOTICE -- Pre-Action Investigation in S&P Department**

(b) (6)

Fri 5/7/2021 11:10 AM

To: (b) (6)

(b) (6)

Thank you for the info.

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)**Sent:** Friday, May 7, 2021 10:57 AM**To:** (b) (6)**Subject:** Fw: IMPORTANT NOTICE -- Pre-Action Investigation in S&P Department

Sent to S&amp;P Faculty and also bcc'ed (b) (6) on the email.

---

**From:** (b) (6)**Sent:** Wednesday, May 5, 2021 2:01 PM**Subject:** IMPORTANT NOTICE -- Pre-Action Investigation in S&P Department

Colleagues,

College leadership has received allegations of potentially unprofessional interpersonal behavior among faculty in the Strategy and Policy Department to include possible gender discrimination and non-adherence to instructions relating to the promotion and tenure process. The gravity of these allegations demands thorough consideration. To that end, the Provost has initiated a pre-action investigation that will occur over the coming weeks to ascertain the facts surrounding these issues.

Many of you will be interviewed, and I trust that you will extend the interviewer every consideration.

While I am unable to provide additional details, leadership did not consider it conducive to department morale if the investigator, (b) (6), began scheduling interviews before the faculty and staff were made aware of this upcoming process.

Respectfully,

(b) (6)

**Fw: IMPORTANT NOTICE -- Pre-Action Investigation in S&P Department**

(b) (6)

Fri 5/7/2021 10:57 AM

To:

(b) (6)

Sent to S&P Faculty and also bcc'ed (b) (6) on the email.

---

**From:** (b) (6)**Sent:** Wednesday, May 5, 2021 2:01 PM**Subject:** IMPORTANT NOTICE -- Pre-Action Investigation in S&P Department

Colleagues,

College leadership has received allegations of potentially unprofessional interpersonal behavior among faculty in the Strategy and Policy Department to include possible gender discrimination and non-adherence to instructions relating to the promotion and tenure process. The gravity of these allegations demands thorough consideration. To that end, the Provost has initiated a pre-action investigation that will occur over the coming weeks to ascertain the facts surrounding these issues.

Many of you will be interviewed, and I trust that you will extend the interviewer every consideration.

While I am unable to provide additional details, leadership did not consider it conducive to department morale if the investigator, (b) (6), began scheduling interviews before the faculty and staff were made aware of this upcoming process.

Respectfully,

(b) (6)

**Re: Pre-Action Investigation**

(b) (6)

Thu 5/13/2021 12:53 PM

To: (b) (6)

I have briefings and interviews all morning tomorrow. I'm available after 1300. Either a Zoom or a conference call works.

(b) (6)

---

**From:** (b) (6)**Sent:** Thursday, May 13, 2021 9:36 AM**To:** (b) (6)**Subject:** Re: Pre-Action Investigation

(b) (6)

I'm available. Thanks!

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)**Sent:** Thursday, May 13, 2021 9:18 AM**To:** (b) (6)**Subject:** RE: Pre-Action Investigation

(b) (6) -- I can support a meeting b/w 1200-1230 today.

(b) (6) -- any issues?

v/r,

(b) (6)

-----Original Message-----

**From:** (b) (6)**Sent:** Thursday, May 13, 2021 9:12 AM**To:** (b) (6)**Subject:** Re: Pre-Action Investigation

(b) (6)

I'm briefing (b) (6) from 1000-1130 today, so I can't make 1100. I can do any time after 1200 today or Zoom tomorrow after 1430.

(b) (6)

---

**From:** (b) (6)**Sent:** Thursday, May 13, 2021 9:09 AM**To:** (b) (6)

(b) (6)

Subject: RE: Pre-Action Investigation

(b) (6)

Good morning. I am in the office today. I am available to meet with you in-person at my office (Connolly 209) adjacent to the Stockdale Conf Rm at 1100, if that works for you. We can patch (b) (6) in over my office phone. Unfortunately, I am tied up in training all afternoon.

The other option is a zoom call tomorrow as (b) (6) and I will both be working remotely.

Please let us know what works best for you, sir.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Wednesday, May 12, 2021 2:18 PM

To: (b) (6)

Subject: Pre-Action Investigation

(b) (6)

I would like to have another meeting to discuss a few issues relating to the ongoing investigation. My preference is on site at NWC since I am at work every day. Back-up is Zoom but late in the afternoon (after 1500) since I need to drive home. Either way, can we do Thursday or Friday this week?

(b) (6)

## Fw: Pre-Action Investigation

(b) (6)

Tue 5/18/2021 8:25 AM

To: (b) (6)

(b) (6)

Please see the exchange below. What is your decision?

Best,

(b) (6)

---

From: (b) (6)

Sent: Tuesday, May 18, 2021 6:48 AM

To: (b) (6)

Subject: Re: Pre-Action Investigation

(b) (6)

I am not exactly sure how to answer this question. I want to be helpful but also want to follow policies and procedures.

1) I am not sure if I can transfer a document from the Promotion and Tenure folder to you. This is probably a question for (b) (6) and the legal team.

2) If you are unable to obtain the document, I am unsure if I can substantiate the document. This is a question to consider with legal as well.

The nexus of my concern deals with the following statement in Instructions for Departmental Promotion & Tenure Committees:

"All information discussed in the tenure and promotion meetings is confidential, and no information nor any faculty package is to be discussed outside of official tenure and promotion meetings."

Apologies, but it is probably a good idea to obtain better guidance particularly in case (b) (6) objects to this document being included.

Respectfully,

(b) (6)

---

From: (b) (6)

Sent: Monday, May 17, 2021 3:06 PM

To: (b) (6)

Subject: Pre-Action Investigation

(b) (6)

I received the following request from (b) (6) with respect to her draft statement on the issue under investigation:

"Could you please add to the word document '(b) (6) Statement of 14 May 2021' the text of the document referenced in (b) (6) (b) (6) text exchange and located on the P Drive in (b) (6) promotion package, at the end of section 7. Service, entitled Feedback on candidates? I believe it was an email from (b) (6) to the S&P Department chair. The document lists (b) (6) by name.

This is the document that elicited my questions to (b) (6). It was part of (b) (6) promotion package that she submitted, a package that all tenured S&P faculty were tasked to review."

I understand that this is an input from (b) (6) from several years ago -- but provided as part of her promotion and tenure package -- that offers her personal assessment of various candidates for future hire, including (b) (6). Is this something that you can retrieve, and if so, would it be inappropriate (in your view) to add it to her statement? (b) (6) obviously considers it to be an important element in her explanation of the text message exchange with (b) (6).

Thanks,

(b) (6)

(b) (6)



**RE: Investigation Report**

(b) (6)

Thu 10/14/2021 1:30 PM

To: (b) (6)

Thanks (b) (6) I will review it at the soonest opportunity.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Thursday, October 14, 2021 1:26 PM

To: (b) (6)

Subject: Investigation Report

(b) (6)

My revised investigation report is now on the Teams folder.

(b) (6)

## Re: Several Questions

(b) (6)

Tue 9/14/2021 9:48 AM

To: (b) (6)

How about Zoom. Invite follows:

(b) (6) is inviting you to a scheduled Zoom meeting.

Topic: Meeting with HR

Time: Sep 14, 2021 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

One tap mobile

(b) (6)

Dial by your location

(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

Find your local number: (b) (6)

Join by SIP

(b) (6)

Join by H.323

(b) (6)

Meeting ID: (b) (6)

Passcode: (b) (6)

---

From: (b) (6)

Sent: Tuesday, September 14, 2021 9:46 AM

To: (b) (6)

Subject: Re: Several Questions

Either,

(b) (6)

Your choice.

vr

(b) (6)

**From:** (b) (6)  
**Sent:** Tuesday, September 14, 2021 9:43 AM  
**To:** (b) (6)  
**Subject:** Re: Several Questions

Do you want to zoom or phone call?

(b) (6)

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---

**From:** (b) (6)  
**Sent:** Tuesday, September 14, 2021 9:36 AM  
**To:** (b) (6)  
**Cc:** (b) (6)  
**Subject:** Re: Several Questions

(b) (6)

Are you available now?

(b) (6)

Are you available now?

vr,

(b) (6)

(b) (6)

---

**From:** (b) (6)  
**Sent:** Tuesday, September 14, 2021 9:07 AM  
**To:** (b) (6)  
**Subject:** Several Questions

Dear (b) (6),

Would it be possible to speak with you and perhaps (b) (6) this week about several subjects including the status of the (b) (6) investigation and an issue that has come to my attention with (b) (6) ?

I am happy to talk via phone or zoom. I am trying to work from home as much as possible this week given ISS.

Respectfully,

(b) (6)

(b) (6)

Fw: (b) (6) complaint

(b) (6)

Wed 1/12/2022 7:33 AM

To: (b) (6)

FYI

(b) (6)

---

From: (b) (6)

Sent: Tuesday, January 11, 2022 4:55 PM

To: (b) (6)

Cc: (b) (6)

Subject: (b) (6) complaint

Good afternoon (b) (6),

Thank you for meeting with me via Zoom. I have reviewed your original complaint and the follow up concern pertaining to the Provost briefing provided to you on 16 April 2021.

I have discussed your concerns with (b) (6) and (b) (6) cc'd above. The determination of the Provost and the investigative officer at the time was that there was neither substantiation, nor corroboration of bullying, harassment, or corruption of the promotion process. Please use this email as confirmation of this.

The working environment of your department has been addressed with team building exercises and the assistance of a dedicated mediator. Absent verifiable evidence of misconduct, abuse or criminal conduct, I will consider this matter closed to further Inspector General inquiry.

Please feel free to contact me with any questions or concerns.

V/r

(b) (6)

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(b) (6)

**Response to Directed Actions from a Pre-Action Investigation**

(b) (6)

Thu 1/27/2022 8:07 AM

To: (b) (6)

1 attachments (80 KB)

S&amp;P Chair -- Response to (b) (6) Investigation -- 27 Jan 2022.pdf;

Dear (b) (6)

Please consider attached memo as my response to one of the action (letter b) directed as a result Pre-Action investigation by (b) (6) outlined in Document 12700, Ser NOO/0792, 17 Dec 2021.

I am happy to speak with you about these or amend accordingly.

Best wishes,

(b) (6)

(b) (6)

**FW: Instructions provided and read**

(b) (6)

Mon 5/3/2021 2:07 PM

To: (b) (6)

Cc: (b) (6)

1 attachments (186 KB)

Instructions for Promotion &amp; Tenure Committees.pdf;

(b) (6)

As discussed this morning, attached are the instructions that were given to the Promotion & Tenure Committee prior to the deliberations at issue in your inquiry.

v/r,

(b) (6)

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Wednesday, February 24, 2021 10:37 AM

To: (b) (6)

Subject: Instructions provided and read

(b) (6)

FYI. These are the instructions I provided to and read verbatim to the committee.

V/R,

(b) (6)

(b) (6)

USNWC HR webpage

(b) (6)

<<https://usnwc.edu/Faculty-and-Departments/Administrative-Departments/Human-Resources>>

FOR OFFICIAL USE ONLY (FOUO) - PRIVACY SENSITIVE

The enclosed document(s) may contain personal or privileged information and should be treated as "For Official Use Only."

## Re: Pre-Action Investigation (FOUO)

(b) (6)

Mon 6/28/2021 4:43 PM

To: (b) (6)

Okay. I anticipate that getting those 25 additional statements typed up and approved will stretch this process out another two months (given my real job commitments). I will forge on, but there is no way around it. I also have the suspicion that some of the events in my write-up may be deemed to need more interviews and corroboration (your call). This is literally 12 separate events (by my count) that were combined into "one" investigation. The S&P Chairman wants to know when it will be done because he is anxious to start remediation efforts. PNWC already button-holed me and told me how critical this is and how anxious she is to see it. What I need is a realistic understanding as to what the final report must look like in terms of detail, statements, enclosures, and corroboration. Then I can go back to the Provost and tell him how much more time this will take.

(b) (6)

From: (b) (6)

Sent: Monday, June 28, 2021 3:37 PM

To: (b) (6)

Subject: Re: Pre-Action Investigation (FOUO)

(b) (6)

(b) (6) is working on an urgent matter that has a tight deadline. I would like to talk to him to see his thoughts on the interview notes, but we probably won't have an answer for you until tomorrow at the earliest. It is my opinion that it is necessary to have written summaries of the witness statements if they did not provide their own written statement. Assuming (b) (6) agrees with me, once the summary is written, then it should be provided it to the witness to verify that is an accurate summary of the interview.

Regarding the request for non-attribution, it is necessary to know who said what. Therefore, any information that is relevant to your report, especially findings of fact, must be attributed to the witness(es) who provided the information. So, if Finding of Fact 10 is supported by three different witnesses' interviews, all three statements/summaries of interviews of those would be cited as relevant enclosures (my apologies if I'm telling you something you already know).

For your awareness (and you can pass this along to witnesses should they contact you with their concerns), the investigation report is not something that is made available for anyone to read; only those who have an official need to know can see it. Also, if a copy of the report is requested under FOIA, names of witnesses are normally redacted, and statements (or summaries of statements) of witnesses are usually not releasable under FOIA. For example, if "Witness A" requests a copy of the report under FOIA, "Witness A" would get a copy of the report with names redacted except for Witness A's name, and the only witness statement/summary that would be released would be Witness A's statement/summary of interview.

I will talk to (b) (6) tomorrow, and then we will get back to you. We will also review the draft report and provide comments in the document with any questions/comments we may have. Thank you for all your hard work on this!

V/r (b) (6)

(b) (6)

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From: (b) (6)

Sent: Monday, June 28, 2021 2:55 PM

To: (b) (6)

Subject: Re: Pre-Action Investigation (FOUO)

I dropped the draft report into the Teams folder. The enclosures are highlighted in the text, but I would prefer some feedback (if any) on the text before I line up the enclosures.

(b) (6)



I did some 40 hours of interviews and have my handwritten notes. I solicited several formal statements for some of the allegations, but have not typed up the general interview notes. Rather, I quote relevant statements from the interviews in the report. Part of this is due to requests for non-attribution (although I gave no guarantees regarding anonymity and it shouldn't be hard for people knowledgeable of the faculty to know who said what). The other reason is time. If my notes need to be typed up, that will likely add a couple of weeks.

(b) (6)

---

**From:** (b) (6)  
**Sent:** Monday, June 28, 2021 1:32 PM  
**To:** (b) (6)  
**Subject:** Re: Pre-Action Investigation (FOUO)

(b) (6)

I will create a private Teams folder in a few minutes, and you should receive an automated email. Then you can upload the draft report to that folder. Tomorrow, you can drop off the enclosures to Jean Carrillo who will be in the HRO between 0630 and 1500.

Thank you!

V/r (b) (6)

(b) (6)

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---

**From:** (b) (6)  
**Sent:** Monday, June 28, 2021 1:03 PM  
**To:** (b) (6)  
**Subject:** Re: Pre-Action Investigation (FOUO)

I can send you the draft for comment (right now without the enclosures -- I will need many more hours to scan them in if we are not going hard copy). I have not used DoD Safe. The web site tells me that I need a code from the recipient.

I can use Teams if that is better.

(b) (6)

---

**From:** (b) (6)  
**Sent:** Monday, June 28, 2021 10:51 AM  
**To:** (b) (6)  
**Subject:** Re: Pre-Action Investigation (FOUO)

(b) (6)

If you would like, you can send a draft to (b) (6) and me via DoD Safe, and we can look at it to see if we have any questions/comments using track changes before you finalize your report. I can also help you format it if you would like. I do not make any substantive changes to an IO's report.

Another option is that I can create a Teams folder with restricted access to you, (b) (6) and me. You can upload your draft report and all the enclosures to the Teams folder, and we can review it in the Teams folder. Once it is complete, (b) (6) and I review the report and provide guidance to the senior leadership.

Please let me know if you have any other questions. Thank you.

(b) (6)

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)**Sent:** Monday, June 28, 2021 10:07 AM**To:** (b) (6)**Subject:** Pre-Action Investigation


(b) (6)

I am assembling the final report of my investigation. Who does it go to/through, and what is the means of delivery?

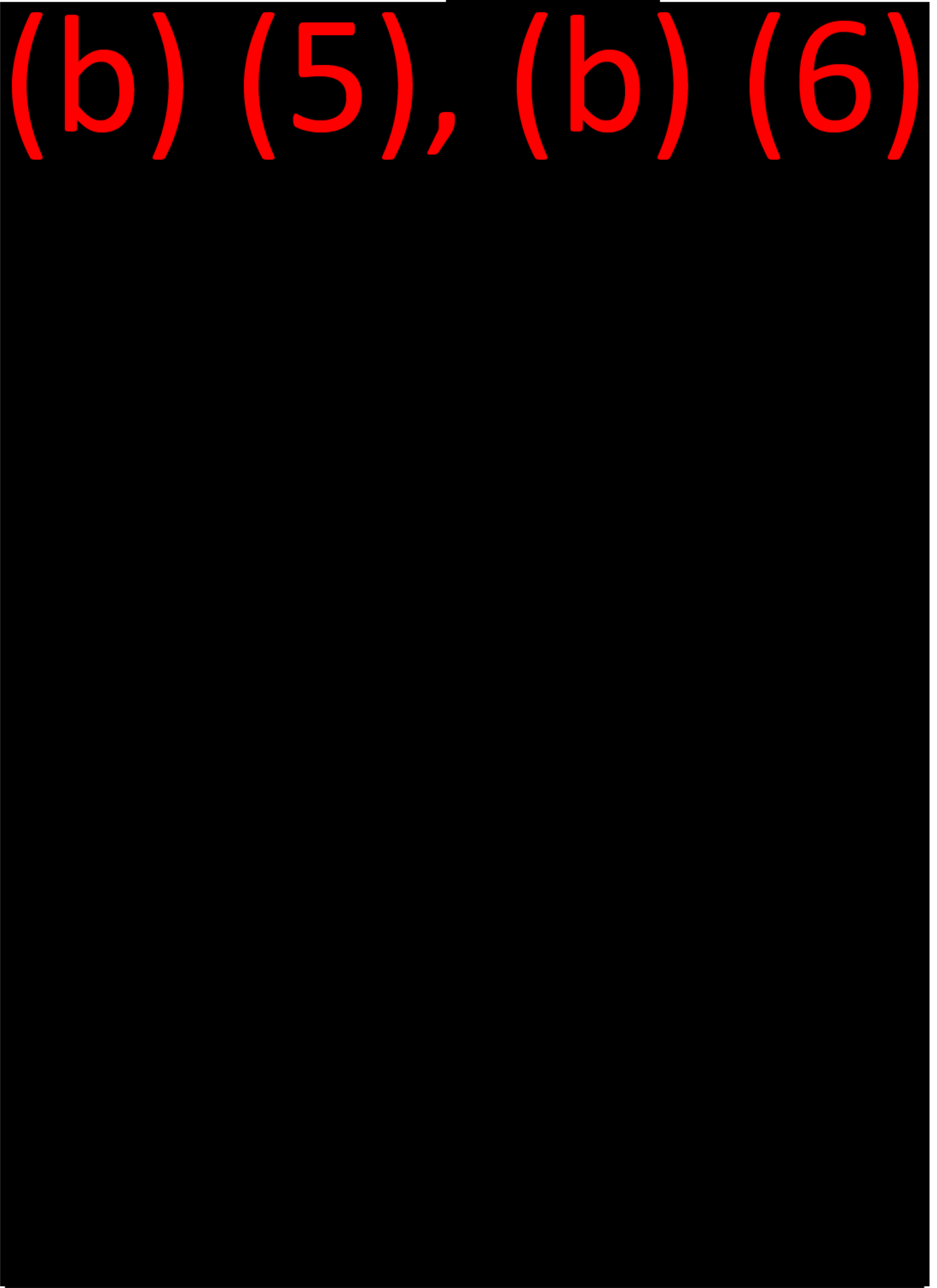
(b) (6)

Re: Updates

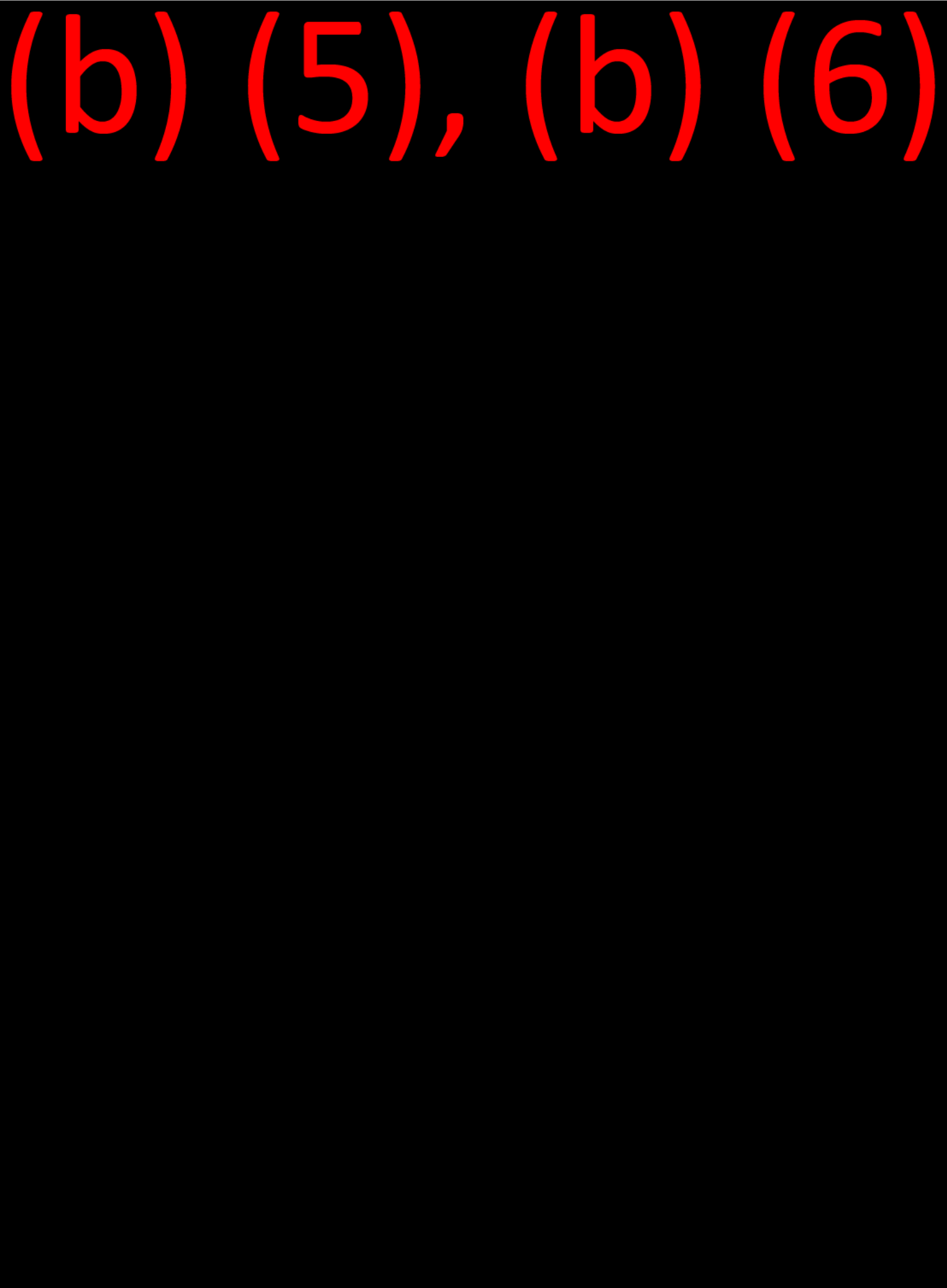
(b) (5), (b) (6)



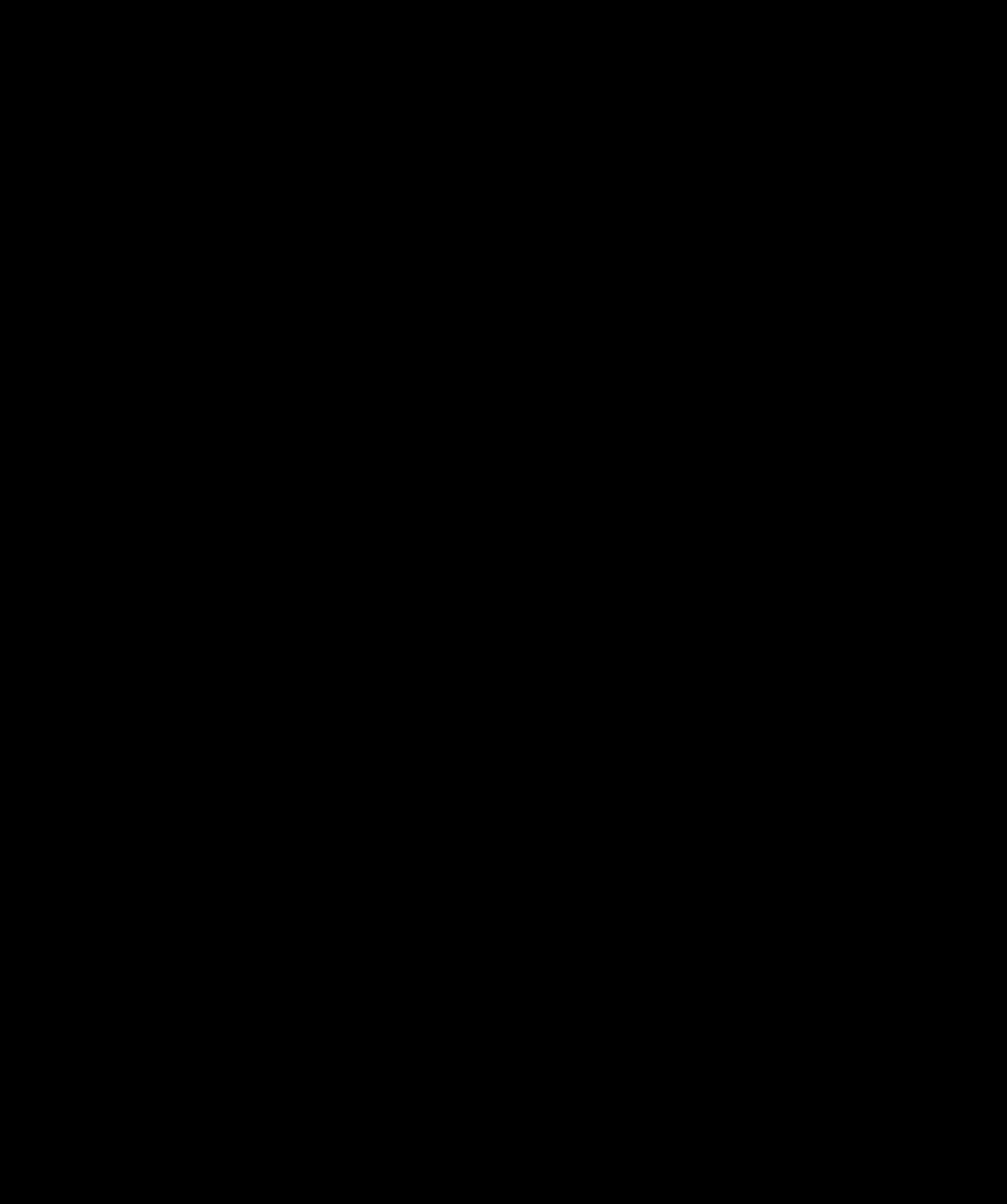
(b) (5), (b) (6)



(b) (5), (b) (6)



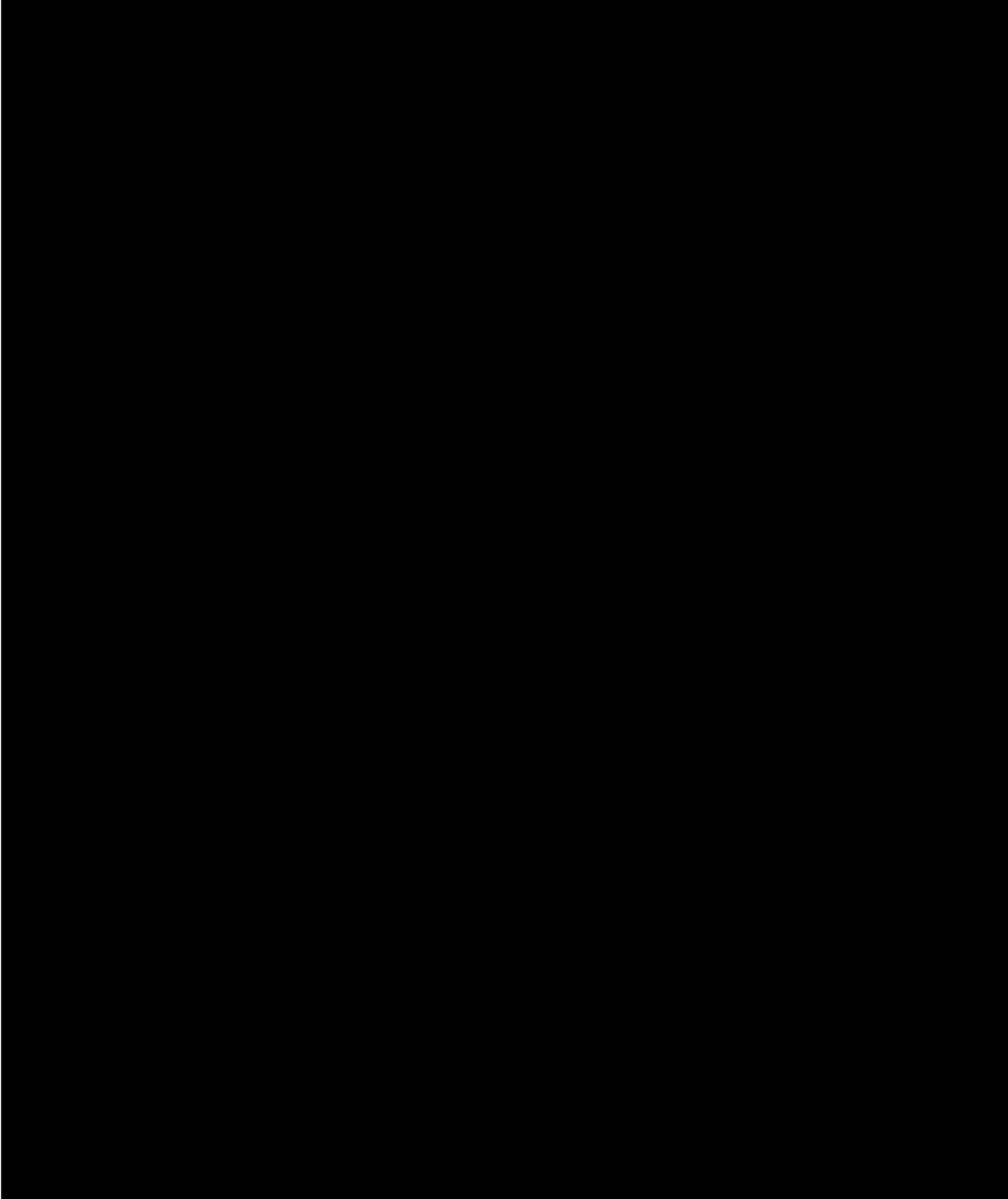
(b) (5), (b) (6)



(b) (6)

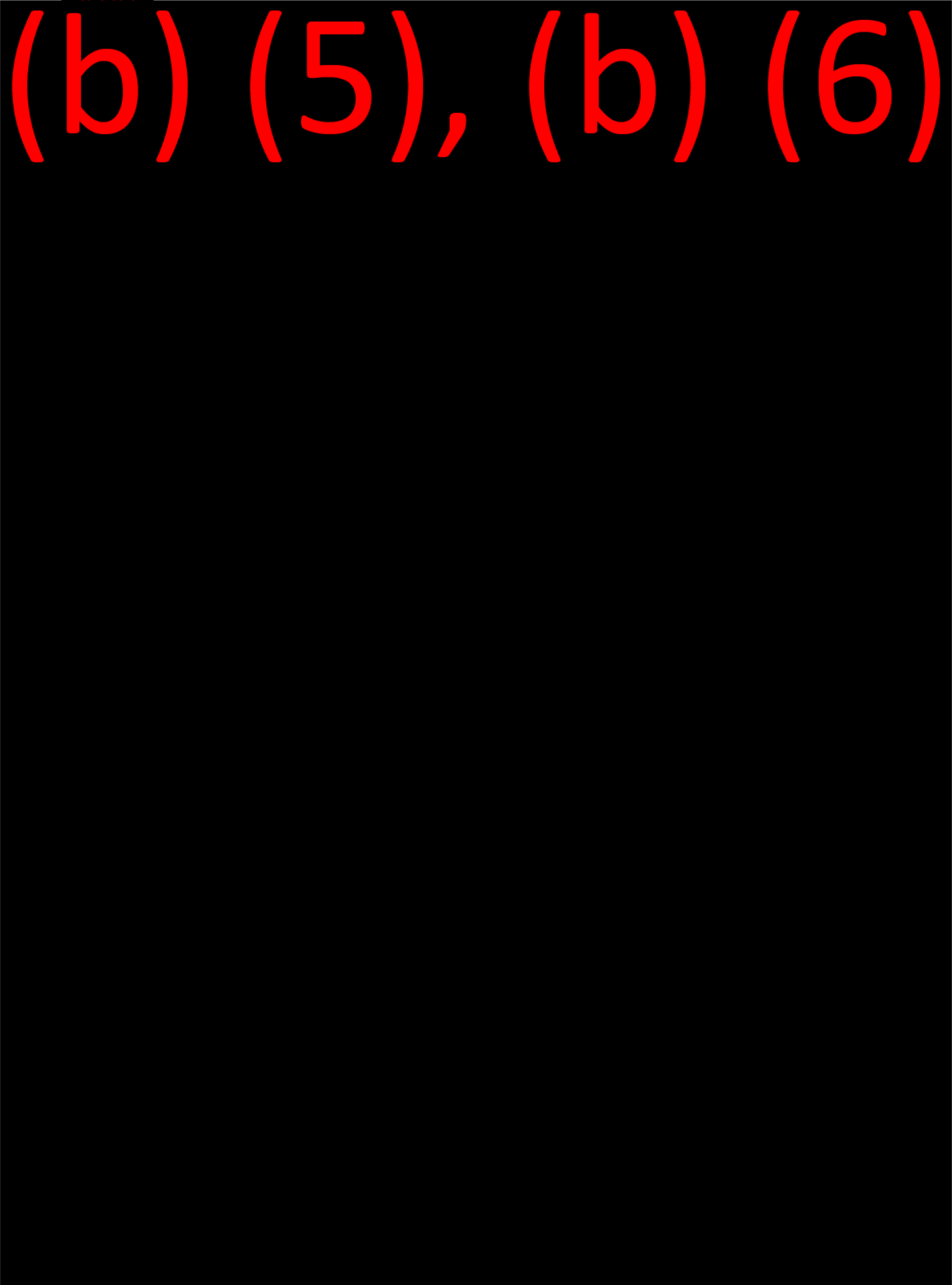
(b) (6)

(b) (5), (b) (6)

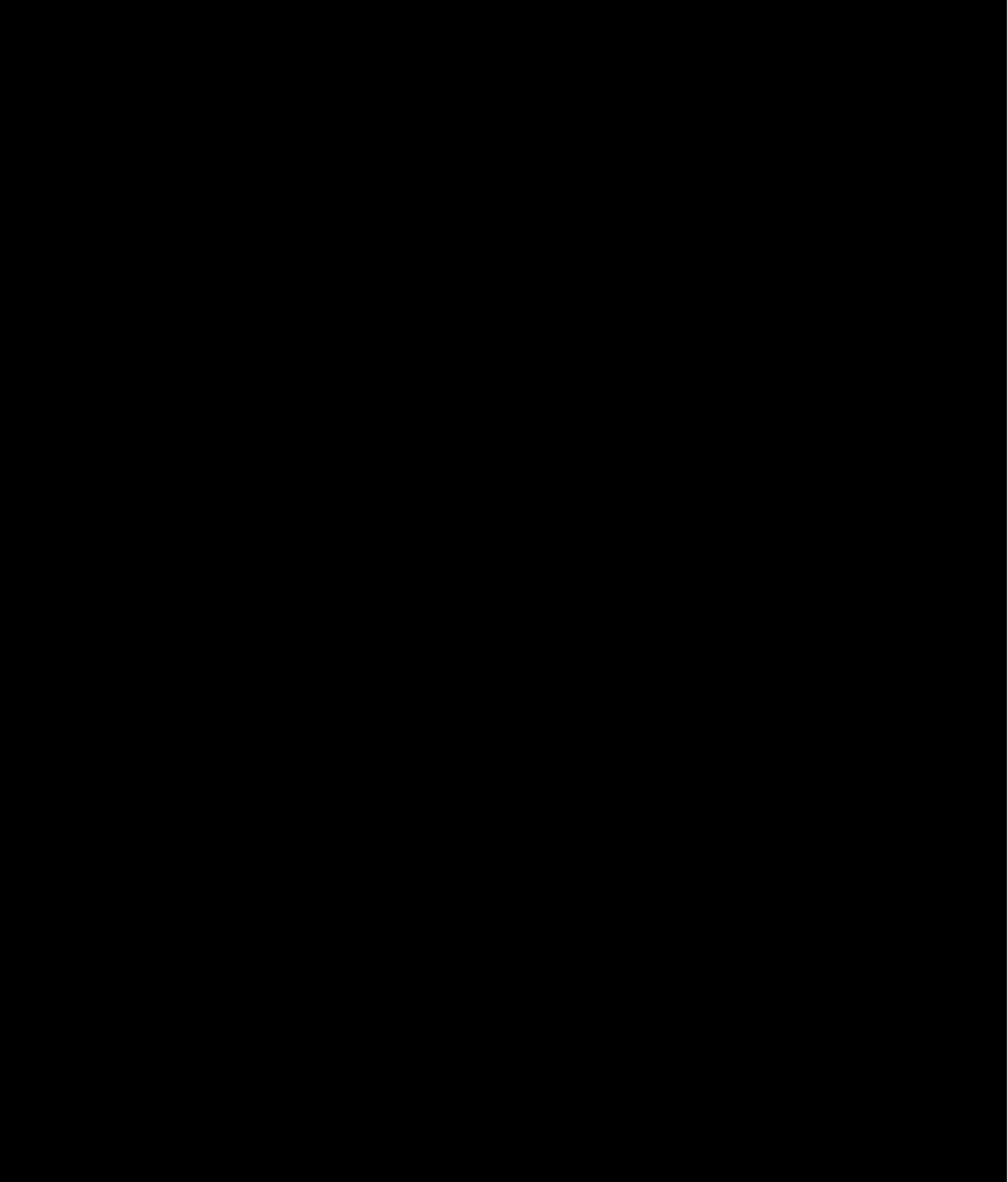




(b) (5), (b) (6)

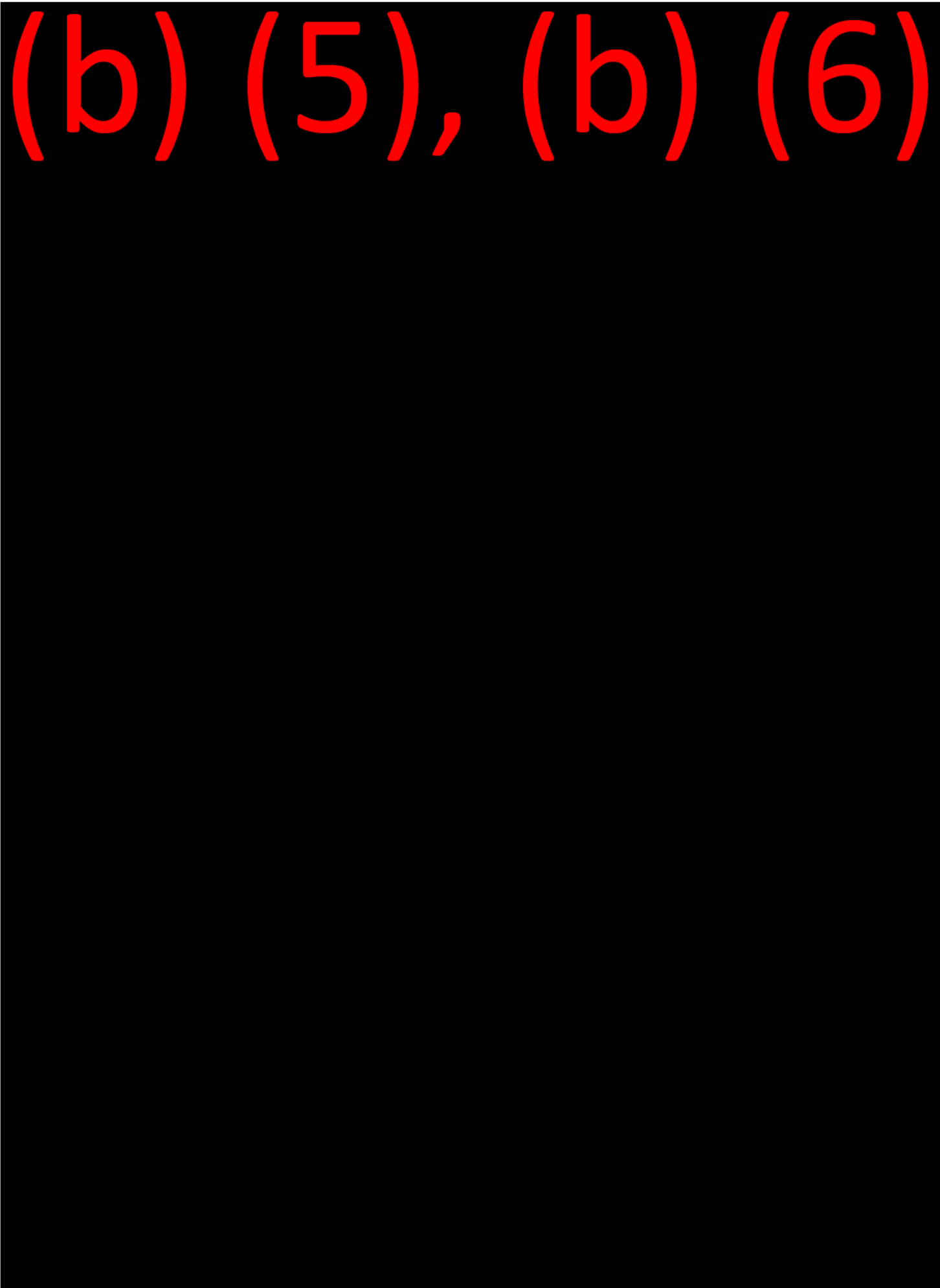


(b) (5), (b) (6)

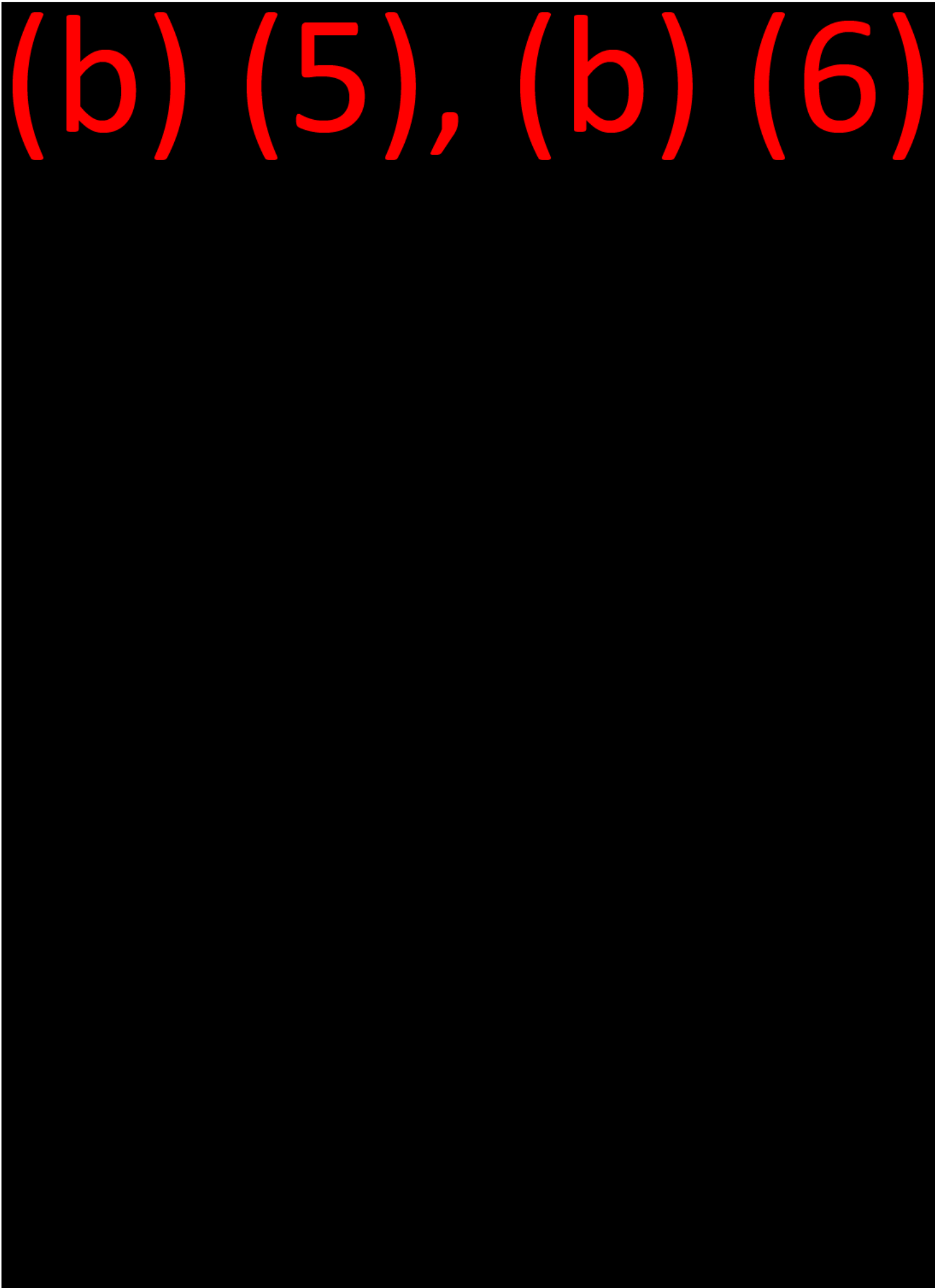


(b) (5), (b) (6)

(b) (5), (b) (6)



(b) (5), (b) (6)



(b) (5), (b) (6)

-----Original Message-----

From: (b) (6)

Sent: Monday, May 3, 2021 1:55 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: S&P Pre-action Investigation Question

(b) (6)

Copy...I asked him to hold for a day or so pending this topic.

Cheers,

(b) (6)

(b) (6)

From: (b) (6)

Sent: Monday, May 3, 2021 1:14 PM

To: (b) (6)

(b) (6)

(b) (6)  
Cc: (b) (6)

Subject: Re: S&P Pre-action Investigation Question

(b) (6)

I will discuss this with (b) (6) and we will get back to you. FYSA - (b) (6) and I met with (b) (6) this morning, and he mentioned that he was not going to begin the investigation until you had told him to do so.

Thank you.

V/r, (b) (6)

(b) (6)

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---

(b) (5), (b) (6)

(b) (6)



**Re: Instructions provided and read (FOUO)**

(b) (6)

Mon 5/3/2021 4:13 PM

To: (b) (6)

Cc: (b) (6)

Very good, thanks.

(b) (6)

---

**From:** (b) (6)**Sent:** Monday, May 3, 2021 3:12 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** Re: Instructions provided and read (FOUO)

(b) (6)

I found the email string that relates to the instructions that we discussed this morning, and I have attached it as a pdf file.

V/r, (b) (6)

(b) (6)

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---

**From:** (b) (6)**Sent:** Monday, May 3, 2021 2:07 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** FW: Instructions provided and read

(b) (6)

As discussed this morning, attached are the instructions that were given to the Promotion & Tenure Committee prior to the deliberations at issue in your inquiry.

v/r,

(b) (6)

(b) (6)

-----Original Message-----

**From:** (b) (6)**Sent:** Wednesday, February 24, 2021 10:37 AM**To:** (b) (6)**Subject:** Instructions provided and read

(b) (6)

FYI. These are the instructions I provided to and read verbatim to the committee.

V/R,

(b) (6)

(b) (6)

[REDACTED]

[REDACTED]

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**Re: A Question Regarding the Investigation**

(b) (6)

Tue 5/4/2021 7:20 PM

To: (b) (6)

(b) (6)

I know a couple of emails have crossed paths...

So all know, and based on earlier conversations, I gave (b) (6) clearance to start the process mid-afternoon tomorrow.

Please let me know if I need to alter.

(b) (6)

Get [Outlook for iOS](#)

(b) (5), (b) (6)

---

**From:** (b) (6)**Sent:** Tuesday, May 4, 2021 4:31 PM**To:** (b) (6)**Subject:** Re: A Question Regarding the Investigation

(b) (6)

Thank you for the detailed response. This is very helpful.

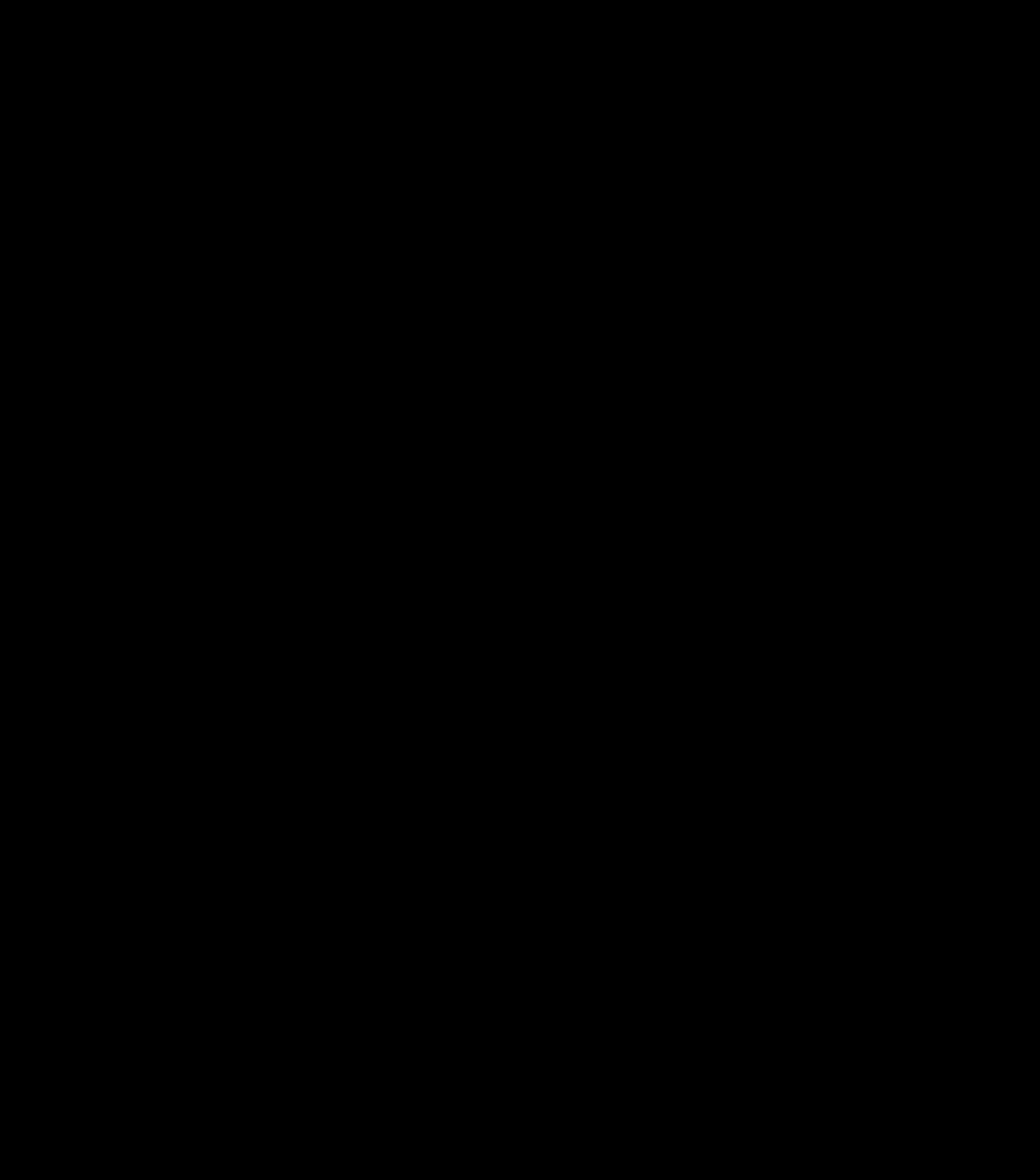
I can see advantages to both RESPONSES #1 and #2 dealing with the final question.

Any recommendations for which one is better? I can definitely attempt to schedule the Zoom for tomorrow morning if you prefer RESPONSE #1.

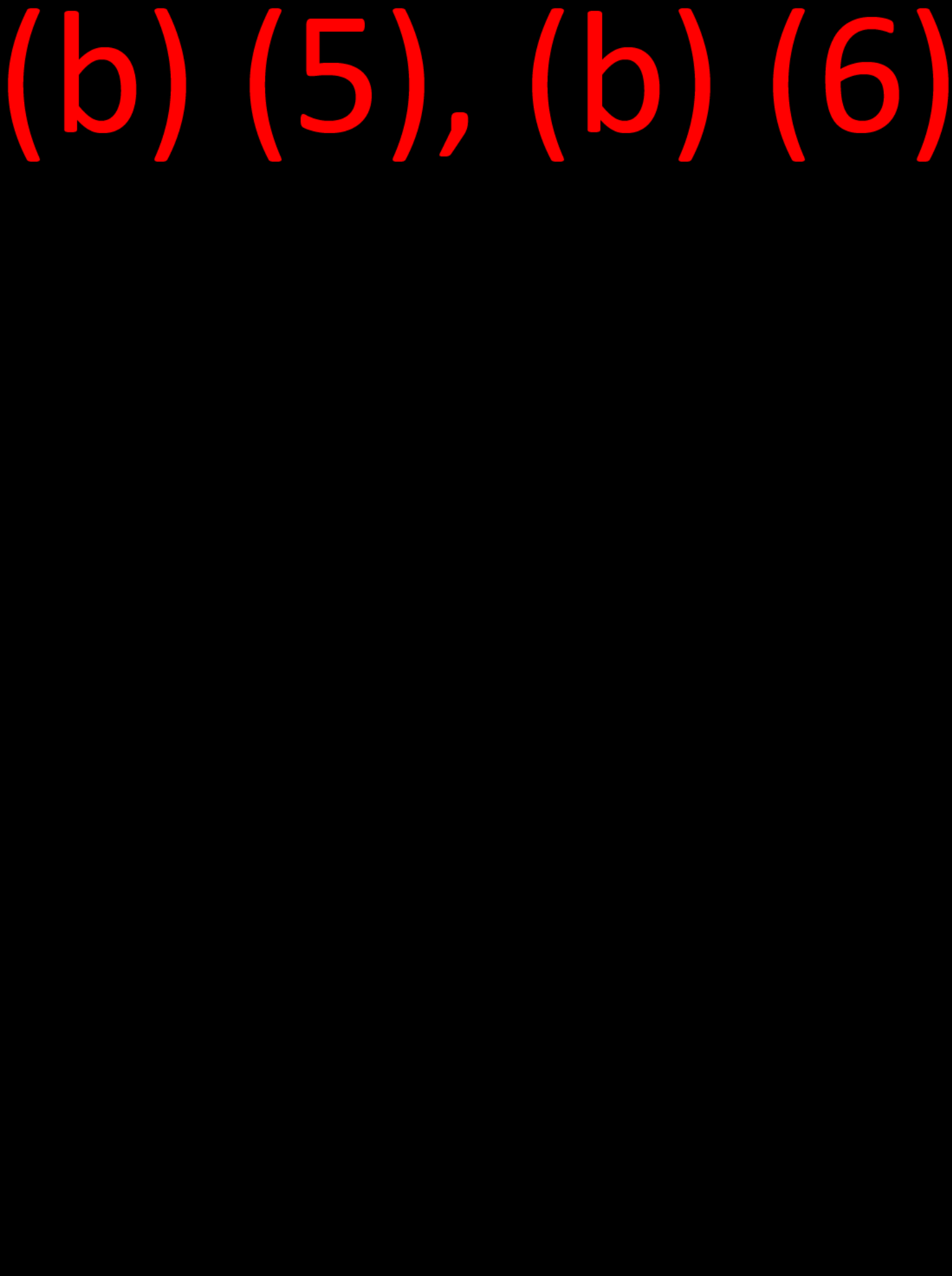
Respectfully,

(b) (6)

(b) (5), (b) (6)



(b) (5), (b) (6)



Any other advice would be most welcome and apologies for disturbing you with this email.

Best wishes,

(b) (6)

(b) (6)

**RE: A Question Regarding the Investigation**

(b) (6)

Wed 5/5/2021 8:21 AM

To: (b) (6)

(b) (6)

Yes, I saw that follow-up email. Just wanted to clarify my email from yesterday after seeing the discussion after I had logged off for the day.

Good luck with the call. Please let me and (b) (6) know if anything is raised during the Zoom that should have our attention. Thank you.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Wednesday, May 5, 2021 8:16 AM

To: (b) (6)

Subject: Re: A Question Regarding the Investigation

Thank You (b) (6)

I appreciate the clarification. I will be speaking with (b) (6) today at 1000.

(b) (6)

From: (b) (6)

Sent: Wednesday, May 5, 2021 8:13 AM

To: (b) (6)

Subject: RE: A Question Regarding the Investigation

(b) (6)

Good morning. That is correct -- responses #1 & #2 were not meant to be mutually exclusive and the recommendation I was attempting to convey was to speak to (b) (6) before sending the email out to S&P re: investigation.

My apologies that it wasn't more clearly articulated.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 4, 2021 6:02 PM

To: (b) (6)

Subject: Re: A Question Regarding the Investigation

(b) (6)

(b) (6)

I think that (b) (6) last two responses are not mutually exclusive. Unless I have misunderstood, he is suggesting that it may be beneficial to talk to (b) (6) before you send the email to the entire S&P department informing them that an investigation has been convened.

V/r, (b) (6)

(b) (6)

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---

From: (b) (6)

Sent: Tuesday, May 4, 2021 4:31 PM

To: (b) (6)

Subject: Re: A Question Regarding the Investigation

(b) (6)

Thank you for the detailed response. This is very helpful.

I can see advantages to both RESPONSES #1 and #2 dealing with the final question.

Any recommendations for which one is better? I can definitely attempt to schedule the Zoom for tomorrow morning if you prefer RESPONSE #1.

Respectfully,

(b) (6)

---

From: (b) (6)

Sent: Tuesday, May 4, 2021 4:02 PM

To: (b) (6)

Subject: RE: A Question Regarding the Investigation

(b) (6)



(b) (5), (b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 4, 2021 2:13 PM

To: (b) (6)

Subject: Re: A Question Regarding the Investigation

(b) (6)

I'm looping in (b) (6) for his SA and comment.

V/r, (b) (6)

(b) (6)

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(b) (5), (b) (6)

(b) (6)

(b) (6)

## RE: Pre-Action Investigation

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 18, 2021 8:27 AM

To: (b) (6)

Subject: Re: Pre-Action Investigation

(b) (6)

(b) (6) and I will discuss and get back to you and (b) (6)

V/r, (b) (6)

(b) (6)

This e-mail is For Official Use Only, is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product, privacy sensitive or that is otherwise exempt from disclosure under applicable law. Any misuse or unauthorized disclosure of privacy sensitive information may result in civil and criminal penalties. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.

---

From: (b) (6)

Sent: Tuesday, May 18, 2021 8:25 AM

To: (b) (6)

Subject: Fw: Pre-Action Investigation

(b) (6)

Please see the exchange below. What is your decision?

Best,

(b) (6)

---

From: (b) (6)

Sent: Tuesday, May 18, 2021 6:48 AM

To: (b) (6)

Subject: Re: Pre-Action Investigation

(b) (6)

I am not exactly sure how to answer this question. I want to be helpful but also want to follow policies and procedures.

1) I am not sure if I can transfer a document from the Promotion and Tenure folder to you. This is probably a question for (b) (6) and the legal team.

2) If you are unable to obtain the document, I am unsure if I can substantiate the document. This is a question to consider with legal as well.

The nexus of my concern deals with the following statement in Instructions for Departmental Promotion & Tenure Committees:

"All information discussed in the tenure and promotion meetings is confidential, and no information nor any faculty package is to be discussed outside of official tenure and promotion meetings."

Apologies, but it is probably a good idea to obtain better guidance particularly in case (b) (6) objects to this document being included.

Respectfully,

(b) (6)

---

From: (b) (6)

Sent: Monday, May 17, 2021 3:06 PM

To: (b) (6)

Subject: Pre-Action Investigation

(b) (6)

I received the following request from (b) (6) with respect to her draft statement on the issue under investigation:

"Could you please add to the word document (b) (6) Statement of 14 May 2021" the text of the document referenced in (b) (6) text exchange and located on the P Drive in (b) (6) promotion package, at the end of section 7. Service, entitled Feedback on candidates? I believe it was an email from (b) (6) to the S&P Department chair. The document lists (b) (6) by name.

This is the document that elicited my questions to (b) (6). It was part of (b) (6) promotion package that she submitted, a package that all tenured S&P faculty were tasked to review."

I understand that this is an input from (b) (6) from several years ago -- but provided as part of her promotion and tenure package -- that offers her personal assessment of various candidates for future hire, including (b) (6). Is this something that you can retrieve, and if so, would it be inappropriate (in your view) to add it to her statement? (b) (6) obviously considers it to be an important element in her explanation of the text message exchange with (b) (6).

Thanks,

(b) (6)

## Re: Investigation Issue

(b) (6)

Fri 5/21/2021 11:03 AM

To: (b) (6)

Cc: (b) (6)

(b) (6)

Roger that, I will do this. Thank you,

(b) (6)

---

**From:** (b) (6)**Sent:** Thursday, May 20, 2021 4:10 PM**To:** (b) (6)**Cc:** (b) (6)**Subject:** RE: Investigation Issue

(b) (6)

Good afternoon. I spoke with (b) (6), the NWC SJA, this afternoon and we agree on the way forward re: (b) (6) gift.

First, while a gift from a peer isn't on its own impermissible, under the current circumstances, the recommendation is that you decline the gift of a book. The relevant ethics provision is the following:

5 C.F.R. § 2635.201(b) -- Considerations for declining otherwise permissible gifts

An employee who is considering whether acceptance of a gift would lead a reasonable person with knowledge of relevant facts to question his/her integrity or impartiality may consider, among other relevant factors, whether:

- (1) The gift has high market value;
- (2) The timing of the gift creates the appearance that the donor is seeking to influence an official action;
- (3) The gift was provided by a person who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties; and
- (4) Acceptance of the gift would provide the donor with significantly disproportionate access.

I think we all agree that the offer of a gift while you are serving as an appointed investigating officer into a matter that, at least partially, involves (b) (6) spouse, would trigger subparagraphs (2) and (3) above.

Next, SJA and I believe the best way to effectuate the declination and return of the gift is:

-Send an email to (b) (6) stating that while you appreciate the gift of his book, given your current duties as an investigating officer, it would be inappropriate to accept it due to the perception issues it creates.

-Ask in the email how (b) (6) would like you to return the book.

-If you are unable to return the book in the manner requested by (b) (6) you may ask him who best to leave it with at the office to hold onto until he can retrieve it. For example, is there a secretary in College of Leadership & Ethics that you can leave it with? My understanding is that you come into the office regularly whereas (b) (6) does not, so this may be the most likely scenario.

-Once the book has been turned over (if it is not turned over directly to (b) (6) please send him a final email telling him when you turned the book over and to whom.

Please let me know if you have any questions or concerns on the above.  
Thank you.

v/r,

(b) (6)

(b) (6)

-----Original Message-----

From: (b) (6)  
Sent: Wednesday, May 19, 2021 4:41 PM  
To: (b) (6)  
Subject: Re: Investigation Issue

Roger that. Standing by.

In my experience, giving a colleague a gratis book is not unusual assuming there is a common interest in the subject or some type of support to the project -- and no implied quid pro quo.

My concern here is the relationship of (b) (6) to (b) (6) to the investigation. It seems a little too close for my comfort at this time and under these circumstances.

I have no problem with sending him the book back and saying that due to current circumstances I am declining any gifts from anyone just to avoid any question impropriety.

(b) (6)

---

From: (b) (6)  
Sent: Wednesday, May 19, 2021 4:01 PM  
To: (b) (6)  
Subject: RE: Investigation Issue

(b) (6)



Good afternoon. (b) (6) and I discussed your latest issue this afternoon. I am going to reach out to the SJA about the gift issue, as he is the NWC ethics counselor. I pretty certain I know what his thoughts will be, but I want to make sure first.

I will have something for you tomorrow morning.

v/r,

(b) (6)

-----Original Message-----

From: (b) (6)

Sent: Tuesday, May 18, 2021 7:32 PM

To: (b) (6)

Subject: Investigation Issue

(b) (6)

(b) (6) evidently visited my home today and left a complementary copy of his newly published book on my front stoop. It was in an envelope addressed to me and I can think of no other possible source.

It is not unprecedented for him to give me a copy of one of his publications, and perhaps there is no ulterior motive, but the timing and circumstances seem inappropriate. I did not know that he knew where I lived.

I will find a way to return the book to him unless you offer some other guidance.

(b) (6)

## RE: Investigation Report

(b) (6)

Thu 11/4/2021 8:51 AM

To: (b) (6)

(b) (6)

Good morning. Here are my thoughts on the revised S&P investigation by (b) (6) :

1. The revised version is much more concise. He eliminated all previously stated opinions, conclusions, etc., which isn't entirely positive for reasons I address below.
2. I have reviewed most, but not all, of the summary of interviews and they are detailed and informative. However, I noticed that rather than actually cite to the specific Professor in the investigative report, (b) (6) instead refers the reader back to the enclosure # that contains the individual's interview testimony. In other words, he is still partially concealing the faculty member's identity by forcing the reader to go back to the enclosures to see who said what.
3. Probably in order to over-compensate for the excessive length of the first draft and our direction to stay away from legal conclusions, (b) (6) has scaled back his findings of fact to the point where for some allegations, they are of little-to-no value. Best example is Alegations #10 and #11 (pgs. 11-12). Also, like with faculty member testimony mentioned above, rather than provide relevant details of the testimony, he simply refers the reader back to the enclosures. For example, in Allegation #6 findings of fact, he states in para. 2.f.2.e that "(b) (6) and (b) (6) each provided different accounts of the event (Encls 2, 29, 39)." He makes no attempt to elaborate on these "differences" e.g., "(b) (6) stated [x], while (b) (6) asserted [y]. This makes its difficult for the reader to digest the material w/o having to slide back-and-forth b/w the report and the enclosures.
4. While his examination of (b) (6) specific allegation is rather weak sauce IMO, his insights into the larger issue of S&P command climate in para. 3 (Additional Matters) paints a rather vivid picture and should capture the attention of (b) (6) and others. In (b) (6) opinion there is still a lot of confusion over the P&T committee process and what can be considered in making these determinations. Additionally, there are matters about assessment of faculty performance and a sink-or-swim mentality that predominates in S&P. I do believe that these IO observations and thoughts should be the focus of the command endorsement.
5. I would consider all of (b) (6) allegations as unsubstantiated based on the report, with the exception of (b) (6) actions in allegation 5. However, that violation was already addressed by (b) (6) via counseling.

6. I do not believe that we should go back to Jim for any more revisions or modifications. This is good enough.

Please let me know if you have any questions, concerns or thoughts about my assessment of this investigation.

v/r,

(b) (6)

-----Original Message-----

(b) (6)

From: (b) (6)

Sent: Thursday, October 14, 2021 1:26 PM

To: (b) (6)

Subject: Investigation Report

(b) (6)

My revised investigation report is now on the Teams folder.

(b) (6)

## RE: Investigation Report

(b) (6)

Thu 11/4/2021 8:51 AM

To: (b) (6)

(b) (6)

Good morning. Here are my thoughts on the revised S&P investigation by

(b) (6)

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Please let me know if you have any questions, concerns or thoughts about my assessment of this investigation.

v/r,

(b) (6)

-----Original Message-----

(b) (6)

12/3/21, 12:37 PM

Mail - (b) (6) - Outlook

From: (b) (6)

Sent: Thursday, October 14, 2021 1:26 PM

To: (b) (6)

Subject: Investigation Report

(b) (6)

My revised investigation report is now on the Teams folder.

(b) (6)